

RUSSIA AND THE WESTERN WORLD

*The Place of the Soviet Union in the
Comity of Nations*



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*The Place of the Soviet Union
in the Comity of Nations*

by

MAX M. LASERSON

1945

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To my son

ELEAZAR LASERSON

A captain in the British army

PREFACE

The author fully realizes that in trying to help the reader to an understanding and evaluation of Soviet Russia in the last three decades—the period following the establishment of an entirely new political and social order—he cannot pretend to reach final conclusions.

Just as the results and the influences of the French Revolution of 1789 could not be rightly evaluated, say, in 1817–1818—the period of legitimism and the congresses of the Holy Alliance—the developments and repercussions of the October Revolution of 1917, including the westernization of the Soviet Union, cannot be fairly estimated in 1945–1946.

It is possible in this book only to lay a first foundation for the ripened judgment which will be reached in the course of time. This does not imply that reflections on, and evaluations of, the domestic and international achievements of the Soviet Russian upheaval are to be avoided now, when some phases of the daring, world-shaking challenge of Russia are not yet clear. On the contrary, studies and interpretations by contemporaries—who themselves, by experience and profession, have passed through some of the stages of rehabilitation pictured in this book—may serve as necessary ingredients for any future socio-political understanding of Russia and its possible rapprochement with the West.

The basic forces of causation brought out in this book will retain, I hope, full value despite the inevitable future political changes and social transformations. If the main lines of the analysis are “adequate,” they may provide ways and means for further analysis and consideration, no matter how thoroughly or rapidly changes or “slides” in facts and figures may take place.

I am indebted to the Carnegie Endowment for International Peace for the grants-in-aid which enabled me to devote extended time to this work. I am particularly grateful for the initiative and the benevolent encouragement of Professor James T. Shotwell, the Director of the Division of Economics and History of the Endowment. I am very grateful to Doctor Sanford Schwarz for his highly efficient help in editing parts of the manuscript, my most sincere thanks go to George H. Gibson for the final polishing of the whole body of this book and for his suggestions in the indexing.

Finally I want to mention the kind attitude shown to me by the staffs of the Slavonic Department of the New York Public Library, of the Library of International Law of the Columbia University and of the Woodrow Wilson Memorial Library.

MAX M. LASERSON

COLUMBIA UNIVERSITY

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CONTENTS

<i>PREFACE</i>	vii
<i>INTRODUCTION</i>	I
<i>I FACTORS OF RAPPROCHEMENT BETWEEN THE SOVIET UNION AND THE WEST</i>	12
<i>II SOME CONSTITUTIONAL ASPECTS</i>	58
1. The Freedoms	58
2. Democracy and Dictatorship	63
3. How Rigid Is the Constitution?	69
<i>III FROM CENTRALISM TO FEDERALISM</i>	76
1. The Liberation Movement	76
2. Federalism in Old Russia	86
3. The Soviet Federation	96
<i>IV THE REHABILITATION OF LAW</i>	115
1. Russian Legal Nihilism and the Old Regime	116
2. Emergence of a New Legal Order	124
3. Revision of Marxist Legal Philosophy	130
<i>V THE REHABILITATION OF NATIONAL HISTORY</i>	138
1. Backward Russia and the West	138
2. Absence of History	144
3. Sovietization of Historical Science	146
4. Historical Materialism and the Soviets	148
5. Official Decisions Concerning History	150
6. The Fight against Heresy	151
7. Westernization of Russian Historiography	157

<i>VI</i>	<i>SOVIET FOREIGN POLICY IN THE WEST</i>	165
1.	Early Years of Intransigence	165
2.	Toward <i>de Jure</i> Recognition	170
3.	Militant Pacifism	173
4.	National Self-Determination	182
5.	Between International Planning and National Security	188
6.	Foreign Policy During World War II	195
7.	A Revision of "Self-Determination"	208
a.	Finland	210
b.	The Baltic States	217
c.	Poland	226
8.	Russia's Shift to the West	239
<i>VII</i>	<i>LOOKING BEFORE AND AFTER</i>	254
	<i>INDEX</i>	269

RUSSIA AND THE WESTERN WORLD

*The Place of the Soviet Union in the
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INTRODUCTION

This book has to do with the internal evolution of the Soviet regime. It shows that the regime—constituting the state order of an immense subcontinent forty times as big as France and, with the newly annexed western provinces, numbering over 190,000,000 souls—created by a social revolution in the spirit of which it has educated its entire population, has nevertheless undergone inner changes which were not in the original intention of its builders. These inner changes generally went in the direction of adjustment with the political structure of the Allied Powers of the West.

Never in the political history has there been a social and political upheaval comparable to the Soviet uprising. The consciousness of this fact is a political force of itself. Never was a population indoctrinated to such a high degree by an obligatory state ideology as by that taught in all grades of popular education from the kindergarten to the universities and technical institutes of the U.S.S.R. The indoctrination in the U.S.S.R. has been accompanied by a spread of literacy to all quarters of the country and to all strata of the population. Therefore, it was universal—the rays of Soviet education shone out in every direction. The results, however, do not correspond with the tremendous effort toward a spiritual re-making of the Soviet subcontinent according to patterns arbitrarily prescribed but voluntarily followed.

Using original sources, this book indicates the shifts in various fields of thought and behavior, which have taken a direction quite surprisingly different from that originally intended by the “founding fathers” of the Soviet Union. The shifts may be observed in the fields of law, economics, national history, foreign policy, and attitude toward religion. The

framers of the Soviet revolution were motivated by a determination to create a whole country of daring revolutionaries in order to arouse the entire world by open communistic action extending to the internal affairs of other states. The effort failed, as is clearly seen from the new tendencies appearing in the middle thirties. The participation of the Soviet Union in the Second World War on the side of the democratic powers—Great Britain and the United States, the classical representatives of the capitalist world—must logically have swung this evolution back toward universal standards. This must, of necessity, have brought the Soviet Union nearer to the rest of the anti-Axis democratic world.

We should not be led to wrong conclusions, however. The internal unfolding of causes, factors, and phenomena will not necessarily result in a status toward which all these are tending. More simply, the Soviet regime itself will not liquidate all the institutions of dictatorship and socialism which to a certain degree stand in the way of full implementation of the democratic tendencies mentioned. Far from it. Some of them were supported by administrative and legislative measures of the Soviet regime. Others were not. Some of them were supported because the founders of the regime regarded these phenomena as favorable to the conduct of the war and to defense. But some may not be so supported, and in still other cases considerations of foreign policy may dictate an opposite behavior.

In the introduction to my selection of documents of Soviet Foreign Policy (*International Conciliation*, January, 1943), I spoke about the polarity of the foreign policy of the Soviet Union, which fluctuated between the dogma of a universal revolution and the need of safeguarding the stability and security of the Soviet State. But in so far as politics is not physics, the "polarity" in Soviet politics is subordinated to practical considerations of security and the continued existence of the State.

Nobody can deny that the swing to the right—to simple patriotism—will survive the war. The question is, How much, and how far? Regardless of what the contemporary regime actually presents, Soviet patriotism, under the stress of an all-embracing, heroic war, becomes an independent factor with its own momentum. It has already created in the Russian people a national consciousness of an intensity which the Czarism of the Romanovs never evoked in its three hundred years of existence. This national consciousness, after having discarded old revolutionary dogmas and replaced them by patriotic ideology, cannot be relegated into the world of shadows after its military services have been most successfully rendered.

On the other hand, a few promising slogans of the first period of Bolshevik history may, and undoubtedly will, be used with success in some countries of Europe, especially for the military propagandizing and demoralization of the enemy, and for winning over the peoples in peacetime to the side of Soviet Russia.

These factors and counterbalances cannot be exactly weighed. But by approximate evaluations the conclusion may be reached that the conservative elements of national consciousness predominate over opposite trends in the minds of millions of literate new Russians.

Much depends upon the attitude of foreign powers—Russia's allies—in this question of polarity. We propose to show that the compromises introduced, partly before entry of the Soviet Union into the Second World War, and to a greater extent and all-embracingly afterwards, may hinder any opposite swing to the initial slogans and views of 1917–1922. Thus the “polarity” may become unworkable.

I do not say that the inner processes of Russian rehabilitation of old standards, of the rule of law, and of humanitarian democracy, inevitably lead to a merging of opposing philosophies into one harmonious current; but they do indicate the

possibilities of fruitful cooperation if both sides realize what the world has at stake.

. In foreign policy it is difficult to maintain ideological consistency. To give an illustration: The Soviet Union recognized the Badoglio regime despite its rightist tendencies and its semi-Fascist past; despite even the open collaboration of the King with Italian Fascism. But Soviet relations with Poland were interrupted, although ideologically the Polish Government-in-exile was not more rightist than the Badoglio government. This illustration is given only to show that there is no direct fundamental connection between foreign policy and ideological professions of faith. Furthermore in June, 1945, the Soviet Union officially declared that it stands against sovietization of the parts of Germany occupied by Russia.

It is also clear that the spiritual rapprochement of countries is not tantamount to the identity of their political character, and even less to the coincidence of their foreign policies. On the other hand, every attempt upon the part of governments to create alliances among themselves is undoubtedly greatly aided by the existence of a definite tendency toward concurrence in politico-social thinking. Vice versa, where such concurrence does not exist, foreign policy cannot permanently bridge over deeply rooted estrangements.

One other circumstance must be taken into consideration. In the past centuries of balance-of-power politics, purely military alliances against common enemies were often formed and had positive results. Then, wars were primarily wars between armies and had nothing to do with the further inner developments, in peacetime, of the former belligerents. We are now living in an entirely different era. Bridges between war and peace are many. War is pre-peace, and peace is post-war, not only in the military sense, but much more so in the social, economic, political, and cultural sense. During the war the web of future cooperation is woven. Under such conditions it is important to know what nations to choose as our partners

in a common war. It is also important to know whether an ally is able to carry its share of responsibilities involved.

The possibilities of cooperation throughout the present crucial period, meaning not only the war period ending with victory over Germany and Japan, but also the stage covering the establishment of a future community of nations—must not and, in the nature of the case cannot, be based on similarity of historical, economic trends, or of the present psychology or ideology of the three leading nations. Certainly, some common denominator of understanding and endeavor is essential. This is why, for instance, the idea of a totalitarian master-race (*Herrenvolk*) dominating all the nations of the world, with an exact ethnographic chart grading the several peoples in degrees of decency, bars modern Germany from cooperation with the Anglo-Saxon nations in spite of great similarities in destiny and a common remote past in the development of language and folklore, and ideas of freedom of man or institutions of ancient Germany or Saxony. Linguistically or racially “similar” nations may be led into reciprocally hostile camps if their final political aims are in diametrical opposition. Of much greater importance than similarity in remote background is the direction in which nations are moving historically and politically.

Therefore, we should not be led to an oversimplified equalization or to a flat denial of the profound diversity in the past of the three nations which are now called upon to build a new political era. In order to strengthen their cooperation, some specific features will have to be fostered and supported by each of them. Therefore, these features must exist; they cannot be forcibly and artificially created for the case in question. Other features, on the contrary, will have to be buried and forgotten. There is no doubt that the nations destined to participate in this new political genesis have, in the past, been sharply divided and have even made war upon one another.

Since the Napoleonic Wars, Russia has lived with a regulative idea of democracy. Even under the Czars some attempts at constitutional monarchy were made. Finland and Poland, until 1863, were constitutional monarchies with their own diets, but were ruled by the autocratic monarch of Russia proper respectively as Grand Duke of Finland and King of Poland. Some projects of a constitution were made but were never set in operation. The population of Imperial Russia was, however, not a tacitly law-abiding one. This was particularly the case after the Crimean War. Basic reforms, long overdue, began as far back as the early 1860's, in the abolition of serfdom, in urban and rural self-government (the *Zemstvos*), and in the establishment of a decent and independent judiciary.

Only in 1906, however, was the beginning made of a quasi-parliamentary regime with restricted legislative powers—the lower house being elected Duma and the upper house being the State Soviet, of an aristocratic and highly privileged constituency. In the Duma the socialists, particularly the extreme wing, were represented by small but revolutionary-minded minorities. This regime ended with the first democratic revolution (February–March, 1917), which was soon overthrown by the Communist upheaval of October–November, 1917.

Roughly speaking, the difference between Anglo-Saxon democracies and the Soviet regime is the variation between compromise and promise. The Anglo-Saxons began the development of bodies and institutions of a representative character centuries ago. They adapted the principles and institutions of the Bible and of ancient Greece and combined them with their own ancient free institutions as far back as the Witenagemot. They have developed no abstract philosophical defense of principles which have not been applied through their institutions to actual life—as has been the case in France, Germany, Russia, and some other continental countries. Apparently the absence of pure political and social reasoning in the Anglo-Saxon world was compensated for by the application of

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English empiricism and Anglo-American pragmatism in the political field.

It is true that England produced a great literature of political debate. She had her reactionaries and Cavaliers, but she also had her Levelers and Diggers. In between, there were also the moderates and liberals who, in parliament, had the courage to resist the royal "tyrants." She had her devotees to the monarchical states, like Hobbes, and her primitive communists, like Winstanley; her conservative Burke and her liberal Cobden; her Wolsey, ordering the burning of heretical writings and her Milton and his *Areopagitica*, the most revolutionary defense of freedom of thought and of press. But all this was not only written, it was acted; it was not only professed, it was practiced.

The Anglo-Saxons did not experience political romanticism which continental Europe, and particularly Germany, lived through in the nineteenth century. Idealization of the Middle Ages, weak in England, had no political significance in other English-speaking nations. Nostalgic longings for the beauties and security of feudalism, which in continental Europe was often combined with a faint-hearted searching for liberty and struggle against contemporary injustice and royal autocracy, had no foothold in the Anglo-Saxon world. This romanticism of continental Europe was more than a literary or aesthetic phenomenon, it paralyzed the "civil courage" of the population. It led the German Majority Socialists, after the defeat in 1918, to abandon the principles which they had professed and in which they had been educated for some eighty years—since the days of Weitling and other forerunners of Karl Marx. In 1933, after fourteen years of practice of modern romanticism in a highly industrialized, formerly democratic country under the Weimar Constitution, the most radical German Communists and Social Democrats, overshadowed or led by the feudal "Junkers" of East Prussia, gave up all effective resistance to Hitler, both before and after his "advent."

A common lack of political romanticism, although seemingly a purely ideological phenomenon, is one of the most important bridges between the Anglo-Saxon world and the Russia of today.

The Czarist autocracy gave scant opening for compromise with the opposition. Here more than elsewhere, convictions had to be defended and fought for. Here confession of a political credo, as such, had little value. Under czarism political promises made by the anti-czarist underground not only were preached and printed—both illegally—but were also fought for, often against heavy odds but from an honest and self-sacrificing stand on convictions. For decades of autocracy progressive Russians never relinquished the ruling idea of democracy. Consequently, three revolutions shook Russian czarism during the last ninety-two years of its existence: December, 1825, October, 1905, and February, 1917. The last sealed the doom of czarism. Eight short months of a democratic regime could not, however, meet the need of compromise accumulated during three hundred years of the Romanov dynasty. The upheaval of October–November, 1917—the fourth Russian Revolution—was a triumph of promise of planetary proportions.

The compromises, however, came much later, and in direct proportion to the growing conviction of the hopelessness of a universal social revolution against universal capitalism. And we may add that the compromises and changes, as shown in this book, began to take shape, fortunately enough, before Russia's entry into the Second World War. They were brought about by profound reevaluation of ultimate aims which had been prematurely proclaimed in the turmoil of the first attack of 1917–1918. Thus we stand before the Nep, the New Economic Policy, introduced by the Soviets in 1922. Soviet participation in the present war is only a vastly accelerating factor in this trend.

Those who are impatient with Russia's mistakes or sudden, unilateral decisions, or apt to interpret some negative acts of Russia's internal or foreign policy as expressions of Soviet unreliability or backwardness or innate inability to come closer to the Western world, should take a lesson from the experience of Germany. Let us not be influenced by the prejudiced attitude of Germany toward Russia during the two hundred years of the St. Petersburg period. Even the close geographic, cultural, and political association with Russia, Russia's generosity to Prussia after the defeat of Frederick the Great and the capture of Berlin (1760), Russia's assistance in the liberation of Germany in the Napoleonic Wars, and all the dynastic services, did not prevent the Germans from becoming increasingly hostile toward Russia and her people, advancing from a skeptical understatement of the Russian soul to jealousy and contempt or to a fear, breeding a fury of hatred. This anti-Russian and anti-Slav *Weltanschauung* carried Germany into the double disaster of two world wars lost, with all the doom this involves.

Finally, it should be understood in Anglo-Saxon countries too that the great anti-Bolshevik and anti-Comintern agitation of Nazi Germany after 1933 was only to a small extent a genuine anti-Communist concern for free enterprise. Let us not forget that it was Hitler himself, the initiator of the Anti-Comintern Pact of 1936, who in his address marking the eleventh anniversary of the Nazi regime boasted:

One day history will note it as one of the greatest achievements that in our great state we have succeeded in starting and carrying through a socialist revolution that . . . brought about the complete equality of all citizens.¹

The fight against Bolshevism was never a serious social issue of internal politics; it was political in origin, growing from

¹ *New York Times*, Jan. 31, 1944.

the century-old Prussian and German Russophobia, cultivated in German schools before the First World War and strengthened by this.

Some Americans interpret recent Russian history, especially the mass purges, as evidence that Russia is not capable of making the compromises necessary to the existence and functioning of a democracy. This interpretation is not justified by the history of the Russian people. With all due deference to the truth of the old French proverb, "Comparaison n'est pas raison," we may recall that it was no one less than Henry Hallam who, in his *Constitutional History of England*,² called the English trials for treason and other political offenses of the sixteenth century "glaring transgressions of natural as well as positive law that rendered our courts of justice in cases of treason little better than the caverns of murderers." And this was said of England near the end of the sixteenth century, more than three centuries after the publication of Magna Charta. Even the fidelity and humble readiness with which old Bolshevik revolutionaries admitted their guilt in treason and counterrevolutionary plots had a parallel in the Elizabethan period of English history, when the authors of remonstrances and pamphleteers, sentenced to have their right hands cut off, after the penalty was inflicted took off their hats with their left hands and exclaimed, "Long live Queen Elizabeth." Their sons and grandsons, however, had a different conception of loyalty to England, loyalty to her great tradition of representative government and freedom for the common man. This conviction, sealed in the blood of the Civil War, received final expression in the Habeas Corpus Act of 1679 and the Bill of Rights of 1689. Similarly, we should bear in mind that the Soviet period as it has unfolded since 1917 is not the final stage of Russian history.

The compromises analyzed in this book must, in all prob-

² Vol. I (London, 1886), p. 231.

ability, be accelerated and augmented if and when the Soviet Union cooperates, as it must, with the United Nations, not only in the war and the occupation of Germany, but also in an unpredictably long postwar period of reconstruction and general rehabilitation of Europe.

I

FACTORS OF RAPPROCHEMENT BETWEEN THE SOVIET UNION AND THE WEST

"It is hard for us to realize how large a part
is played in Soviet politics by ideology."

—JAMES T. SHOTWELL, *The Great Decision*

The basic problem to which this study is addressed involves two inquiries: What are the points of similarity and of difference between the Soviet Union and the United Nations of the West? What are the factors, if any, making for closer relations between the Soviet Union and the western world?

While these questions are closely related, it does not follow that there is no possibility of contact and mutual understanding where there are differences in ideas and internal organization. The factors making for rapprochement may be effective even in the face of completely dissimilar domestic regimes. In the era of international organization based expressly on balance of power, this fact was taken for granted. As Gladstone pointed out, principles of democratic state order and freedom were not objects of export. International relations were governed largely by external considerations. Despotically governed states could form unions with democratic; feudal, or partially feudal, with modern capitalist states—illustration of this is the history of relations between Czarist Russia and the United States. It will suffice here to cite the formation in 1780 by Catherine II of the League of Armed Neutrality in order to undermine British sea power during the American Revolution, and the policy of Alexander II during the American Civil War. The Soviet Union has concluded arrangements during the present war, none of which was based

on similarity of internal regimes. One of these, the Treaty of Mutual Assistance between Great Britain and the Soviet Union, signed on May 26, 1942, provides for close collaboration and stipulates that Part Two of this treaty shall remain in force for a period of twenty years. The treaty continues in effect and has grown in force despite the dissimilarity in internal regimes and in the ideologies of the Soviets and the Anglo-Saxon countries, the latter of which are regarded by the Soviets as typically capitalist states.

Under the newly created conditions of organized international life a certain consonance in domestic and foreign policies appears to be inescapable, whereas such harmony was not necessary while the masses of the populations were inert and far removed from problems of foreign policy except as they might be required to serve in war. The diplomats and the foreign offices proposed and disposed. Since the First World War the situation has changed everywhere. The mere existence of a League of Nations as an item of daily news turned public attention to matters which previously concerned it only when war loomed above the horizon. The world became alive to foreign policy. Inevitably the need of correlating internal and external policies has increased. While this is true for all countries with literate populations, it is especially true of the Soviet Union, where state indoctrination is an important aspect of government.

Where freedom of thought and of the press obtains, government must relate its policies to a variety of views and interests held by the groups to which it looks for support. From time to time it may have to test the trends of public opinion in order better to direct its course. Where adjustments must be frequent and swift, new methods of testing opinion seem to be needed, and the development of the Gallup poll may well prove to be an obvious response to this need. It certainly has a Western cast. The formation of Soviet policy follows a different pattern. It is for the government to deter-

mine policy; and behind every step it takes or declaration it makes, whether of internal or of foreign policy, is the responsibility of the entire government. Every manifestation of policy must be in ideological accord with Soviet doctrine. Precisely because it is ideologically conditioned, Soviet foreign policy would seem to be more rigid than that of bourgeois democratic states, and such flexibility as it achieves would seem to depend upon the ease with which obligatory doctrine can be altered. Examination of the history of Soviet policy, both foreign and domestic, reveals unique ability in the government of the Soviet Union to effect ideological adaptation to requirements of policy, while maintaining the basic aim of establishing a working socialist order.

Nowhere has the wish been father to the thought more truly than it was in Russia at the inception of the Soviet regime. Herein lies the chief difference between western socialism (including American), and Russian Sovietism. Although an ideological movement of opposition to capitalism, Western social democracy long since gave up advocacy of violent upheaval against the existing social order. Being a participant in parliamentary life, in municipal government, and in trade unionism, its activities have remained within the broad bounds of legality, while even its strikes have been only partial manifestations of class struggle.

The most opportunist wing of German Social Democracy, the so-called revisionists, led by Eduard Bernstein, expressed this tendency in the almost cynical postulate: "The movement is all, the final aim—nothing." Organization, education, the rise of wages, improvement of housing and welfare of the working classes were the panaceas for which daily activity strove, leaving little room for the actual recasting of the social world order.

In Russia, where there was no long history of a legalized workers' movement, where trade unions were illegal and strikes prohibited, the Bolshevik wing of Socialism, later called

Communism, was from the beginning, in 1903, more activist and revolutionary. Under the democratic provisional government the Bolsheviks decided, against the weak opposition in their central committee of the party, to take over state power.

Even after seizing power and outlawing all other political movements—from moderate Socialist to liberal and reactionary—the Bolsheviks retained their capacity for evolution. On the eve of the October Revolution, in 1917, Lenin wrote: “An international proletarian revolution is clearly rising.”¹ Some twenty years later Joseph Stalin, builder of the Soviet state, announced the conservative principle: “We need stability of laws more than ever.”²

At the very outset, the sole aim was a social revolution with the purpose of inducing a universal social overthrow of capitalism. The fundamental law of the Red Army proclaimed the Army to be the tool of such revolution. A comparison of the oaths taken by soldiers before and after 1939 shows that after 1939 the defense of socialism as the basic object of the allegiance of the Red Army was replaced by defense of the homeland.

From the start of the Soviet regime, but especially after the federalization of the Soviet Republics in 1923 into the U.S.S.R., the status of Soviet Russia as a great power produced her peculiar national psychology, ideology, and political momentum. Lenin, building upon the Communist idea of a universal proletarian society, necessarily cast Russia in the role of champion of socialist world order. In this initial phase, appeals to the working people of Europe, such as Trotsky made December 6 (19), 1917, after the armistice of Brest-Litovsk, were inevitable.³ Revolt against the ruling classes and the fulfillment of their “own revolutionary program” was proclaimed as the

¹ *State and Revolution*, Preface.

² Stalin's report on the Constitution at the 8th Extraordinary Congress of Soviets, Feb. 11, 1936.

³ See chap. VI, sec. 5.

moral duty of the workers of Germany, Austria-Hungary, Bulgaria, and Turkey. Correspondingly, the Soviet state and the Russian revolution must "remain faithful to the policy of internationalism." At that time Russia was simply the "mother country of socialism," to be defended as such by the working classes of Russia and the whole world. It is noteworthy that in the early months of the Soviet regime the government published a decree in the official *Collection of Statutes and Orders* placing two million rubles at the disposal of Soviet foreign agencies for the support of the local workers' movements.⁴

Bolshevism was falsely presented as the only European or *Western* movement in Soviet Russia.⁵ This was done by contrasting it with its most radical opponents, the landed gentry and the reactionary military strata. But in this picture all other anti-Bolshevik factions and groups were entirely omitted, while the democratic opposition of the moderate Socialists and the Constitutional Democrats, and other progressive elements of middle classes of Russia were just as European or *Western*.

The beginnings of Russian democracy may be found in the

⁴ See the Ordinance published in the *Collection of Statutes and Orders*, No. 8, Dec. 23, 1917, and entitled, "On the Appropriation of Two Million Rubles for the Needs of the Revolutionary Internationalist Movement." The text of the decree follows:

"Taking into consideration, that the Soviet power recognizes the principles of the international solidarity of the proletariat and of the brotherhood of the working people of all countries, and taking into consideration that the struggle against war and imperialism can lead to victory only on an international scale, the Council of the People's Commissars finds necessary to help the left internationalist wing of the labor movement of all countries with all means and ways including subsidies in money no matter whether these countries are in a status of war or alliance with Russia or whether they are neutral.

"Therefore the Council of People's Commissars decrees to assign for the needs of the revolutionary internationalist movement two million rubles which have to be handed over to the foreign representatives of the Commissariat of Foreign Affairs."

No decree or ordinance of this sort is found in the later records of the Collection.

⁵ H. J. Laski, *Reflections on the Revolution of Our Times* (1943), p. 39.

Decembrist Revolution of 1825; it may even be traced to the earlier Fronde of the nobility against Czarist despotism in the eighteenth century. It was broadly supported and strengthened by the Industrial Revolution of the second half of the nineteenth century in Russia. That period witnessed the accelerated growth of the Russian intelligentsia, which is without cultural and sociological parallel elsewhere. Beginning in the middle of the eighteenth century, the intelligentsia contributed to the growth of mass movements which in the last quarter of the nineteenth century spread to the artisans, workers, and peasants.

In the last two decades of the nineteenth century moderate socialist parties with their own press and propaganda appeared. These were either idealistic (the Populists) or Marxist (the Social Democrats). Basically democratic in outlook, the idealists addressed themselves to the problems of the peasantry with a radical agrarian program. The approach of the Marxist Social Democrats, a Russian edition of the German original, turned upon the problems of workers and urban elements and exhibited little interest in the peasantry, the petty bourgeois outlook of which hardly fitted into the political frame of early Marxian socialism. Politically, the idealistic Populists stood for the federation of Russia and a broad program of self-determination for nationalities of the Empire. The Social Democrats, on the other hand, were centralists and were opposed to Russian federation.

As Marxians and Social Democrats, the Bolsheviks, too, were at first centralist and against a wide expropriation of landlords, and of state and church properties. Only with their rise to power did the Bolsheviks, influenced by Lenin and Stalin, swing to All-Russian federalism and of an all-embracing agrarian reform.

This political swing was a test of statesmanship. Despite their Western Marxian traditions, the Bolshevik leaders understood that in Russia with its 80 per cent rural population a

socialist program could not ignore the peasantry. At the same time, and probably under pressure from the Bolsheviks of the Caucasus and belonging to other minorities in the Empire, the federalistic program of the Populist Social Revolutionaries was taken over by the Communists. The results of the first free and democratic elections to the Constituent Assembly, in January, 1918, which gave overwhelming majority to the moderate Social Revolutionaries, may have contributed to this important federalization.

Granted that these principles have their origin in Western political civilization, it must yet be recognized that they were officially proclaimed and fought for by the moderate idealistic precursors of the Bolsheviks who later put them into their own program—into their constitution and social order.

So much for the Western and European character of the Soviet Revolution. Tactically, the Soviet Revolution is a unique phenomenon. The creation of a Soviet socialist state in a country with an overwhelming urban bourgeois and rural majority and only 3½ per cent workers' proletariat is without historical parallel, particularly if it be considered that the moving force of this revolutionary creation was a Marxian socialist party which professed a nonvoluntarist doctrine. Some twenty years before November, 1917, Lenin himself declared in a book on the Development of Capitalism in Russia, written against the Populists, that Russia, like every other country, had to pass through the capitalist stage before it could be ripe for socialism and a social revolution.⁶

If, in its most important features the Bolshevik program was identical with the Erfurt Program of the German Social Democratic party, which was entirely European and non-voluntaristic, the tactics used in the Bolshevik Revolution of October, 1917, owed nothing to any European pattern. A peculiar method of revolutionary action of an *a priori* design was applied to overcome the handicap to revolution implicit

⁶ Cf. Chap. V.

in Russian backwardness⁷ and in the passive Western European attitude toward the propertied classes.

For this reason, the Communist party had to be antidemocratic, after seizure of power. In Russia proper the "dictatorship of the proletariat," exercised by the Communist party, felt no need of democracy which in its estimation could only have given the non-Communist population opportunities to organize. After demanding speedier convocation of the democratically elected Constituent Assembly from the Kerenski Government, the Bolsheviks dissolved it on January 5, 1918, when it refused to accept their program and policies. In foreign countries also, democracy in the eyes of Communists remained but a tactical means of weakening the class consciousness and revolutionary preparation of the working class. Democracy was tenable only as it gave Communism legal status to organize the final struggle against capitalism, much as the short-lived Kerenski democracy gave the Bolsheviks the opportunity to organize the attack on the new capitalist democracy of Russia.

Lenin's skepticism and hostility toward reformist development of the Western European and American type led him to the idea of overthrowing Russian democracy. In this brusque dismissal of young democracy Lenin was moved by the fear lest it result in the creation of that workers' aristocracy which he hated for its placable and moderate legal methods of class struggle, its broad and rich trade unions and cooperatives and its relatively high standard of living of the masses, and which, despite his professed Marxism, he viewed as fatal to social revolution or mass upheaval. He also feared that the Russian peasantry, which in the three hundred years of Romanov rule had remained passive toward its deprivation of property and devoid of the sense of ownership, would—once the old village

⁷ One of the American political thinkers who predicted the necessity of a Russian social revolution was William English Walling in *Russia's Message* (New York, 1908), pp. 164-165, 216, 438.

community was liquidated—adopt the petty bourgeois ways of the European or American farmer and thus become the most serious hindrance to total social revolution.

In this respect Bolshevism was certainly “Scythian,” Asiatic, anti-European. Though this was never acknowledged by the Soviet authorities or in their party literature, it was openly proclaimed in the poetry and fiction of Alexander Block, Vladimir Mayakovski, Demyan Bedny, Serge Yessenin, Pan-reley Romanov, and others. The idea of proletarian culture, *Proletcult*, in contrast with inherited Western individualist culture, was propagated by Lunacharsky, the Commissar of Peoples Education, in the early years of the Soviet regime and was cast in the same anti-European mold as early Sovietism and its revolutionary tactics.

It is important to remind the reader that in the first year of the Soviet regime the Bolshevik party shared power with the left wing of the anti-Marxist Social Revolutionaries, who were almost exclusively concerned with a peasant revolution far from Western patterns. The very slogans of the October Revolution were elemental and revealed no specifically proletarian or Marxist features. The cry was, “Bread and peace!”

In a vast, backward country, exhausted by four years of war, such a slogan must have found a sharp echo in the Army and the peasantry—both poor and illiterate for the most part. The effect was to destroy the will to fight. The Army began to break up.

Another slogan, no less effective, was “Peace to the huts, war to the palaces.” This was a primitive, pre-Marxian incendiary call to human beings without class consciousness but daily aware of the privileges and advantages of the upper classes—the landlords and the gentry. This slogan of the medieval Jacqueries, while laying no specific stress on the class struggle of socialist teachings, was effective in that it incited local upheavals and riots against the richer gentry or middle classes.

A third slogan complemented the two already mentioned. Its thesis, "Those who do not work should not eat," is undoubtedly a secular use of the evangelical, "If any would not work, neither should he eat" (II Thessalonians 3 : 10). It meant that the non-working, or rather the propertied, classes of town and country had no right to share in the distribution of supplies, particularly foods. This slogan not only was proclaimed as a political stimulus of the opinion of the masses, but was enacted in Soviet by-laws for the distribution of bread and other foodstuffs, of clothing, housing, etc. Thus a new inequality was introduced, which made it a disadvantage to belong to, or to have belonged to, the exploiting classes, and which extended even to children and dependents. Included in the newly *disadvantaged* classes were all others who did not belong to the *poor*, such as the more prosperous peasants (kulak) and artisans. For a long time bourgeois extraction remained the basis for social exclusion and political disability, particularly for participation in elections to the representative bodies.

A fourth slogan, stated in the positive, was the demand for "All power to the Soviets," used even before the creation of the first Soviet constitution of July, 1918. Its immediate function was to undermine all the agencies of self-government which were set up and functioning after the first free democratic elections under Kerenski, whether in the capital and the cities or in districts and parishes.

The revolution was by no means accomplished with the seizure of power in Petrograd, the capital. Even the erection of a new central administrative apparatus, with a commissariat for every function, meant little in an empire that stretched from Petrograd to Vladivostok and from Murmansk to Batum. However, in the Russian Communist Revolution of October, 1917, as in the French Revolution of 1789, the outcome in the capital was decisive throughout the country. It does not seem possible that revolutionary effort could be centralized in the

same way in an Anglo-Saxon country with its network of local self-government agencies. The Russian phenomenon was made possible by a long history of strong centralization of the administrative machinery.

Czarist Russia had at no time been able to solve the problem of local self-government. However, in 1864, Emperor Alexander II introduced the *Zemstvo*, the first form of modern self-government without regard to classes. Every county (*uyezd*) or province (*guberniya*) had its *zemstvo*. This had control over schools, medical affairs, hospitals, roads, and even to some extent over postal services. The law provided for the division of electors into three bodies: the private landowners (nobles and merchants), peasant communes, and townspeople. Every *zemstvo* had its executive committee, or *uprava*, which it elected. The *zemstvos* represented the public opinion of the country and, throughout the decades, fought against the bureaucratic administration of the old regime. True, they were not introduced in the western provinces of European Russia, populated in the majority by non-Russians, which remained without modern self-government and had only the older privileged representative bodies of landed gentry, nor in Asiatic Russia. Under Alexander II a network of township, self-governmental bodies, was in part reformed and amended and in part newly established.

Democratic Russia, during its very short life (spring and summer of 1917), created a vast apparatus of self-government which not only took over purely administrative functions but also dealt with health, distribution of food, housing, etc. The new Soviet regime undertook first of all to exterminate these new and vigorous nuclei of democracy. This required months, however. The town council of Petrograd, for example, fought long and courageously for its rights, and even printed articles against the Soviet regime in its official monitor, *Viedomosti*; the local Soviet finally succeeded in downing it only after imprisoning the most active councilors, belonging to several

parties. The same thing happened in the larger provincial cities, which also resisted wholesale sovietization. In some places the need of order, economy, hygiene, and livelihood resulted in a brief coexistence of democratically elected bodies and the revolutionary soviets. But no compromise was ever reached between the democratic bodies established by the February Revolution and the October regime. No chain of political continuity linked these revolutionary twin-inheritors of Czarism. Nay more, the Soviet Revolution in its literature sought to monopolize and ascribe to itself the destruction of Czarism and all its institutions. Often enough, reactionary officials of Czarism, victims of the February Revolution, were joined in the prison cells after the October Revolution by their jailers, the democratic revolutionists. It was as if the Diggers had overthrown the Cromwellians and sent them to join the Royalists in the Tower. It was the tragedy of the Russian republican age, so brief and so late, that its destruction doomed Russian democracy. Interesting as it might be theoretically to speculate on what Russia's fate might have been had an earlier revolutionary attempt, or one of the great reforms of the nineteenth century, resulted in a freely liberal constitution with cultural enlightenment and political, agrarian, and social legislation adequate to the needs of the people, there is nothing to be gained by it. The Soviet regime, established with all the revolutionary zeal and enthusiasm accumulated in three hundred years of Romanov oppression, cared nothing for political democracy.

The October Revolution was unique. There is no historical precedent for the seizure of state power by socialist groups on such a scale. The Paris Commune of 1870, which has an important bearing upon the Marxian and Communist doctrines, came to power in the besieged capital of a relatively small country defeated in war. Never until the Soviet revolution had an entire subcontinent yielded to an ideological movement as to a mighty conqueror, after a stiff, but relatively short resistance.

Socialist teachings and ideals, broadly confessed in the Western world, remained only credos of pious belief or, at best, stimuli to local *progressive* legislation. But in the backward and exhausted Russia of 1917 they became instruments of power for a tiny minority.

In November, 1917, the communist movement as the heir of Western European international Socialism was itself purely international in outlook. In the formative years the belief in international proletarian revolution dominated Soviet ideology and politics. That revolution never took place. After the death of Lenin in 1924 it became increasingly clear that "the revolution" was a dream.

Until time demonstrated how utopian this belief was, developments seemed to be pitched in the key of old doctrine which taught that between the first collectivist state in the world and the capitalist states there must be implacable enmity. The foreign intervention of Britain, France, Japan, and the United States, of 1918-1920, seemed to confirm the theory of a world solidarity of bourgeois and capitalist powers against the first collectivist state. The Soviet revolution was therefore to be viewed as only the spearhead of a great international movement for world socialism.

If the negative side of the doctrine—the basic hostility of the bourgeois countries to the Soviet upheaval—was confirmed, the more important, the positive side—that is, participation of the world's "laborers and toiling masses" in the revolution—failed to pass despite the constant inducement offered by the very existence of the Soviet state and all the efforts, agitation, and propaganda of its agency, the Communist International. Nowhere outside the Soviet Union's borders did upheaval lead to communism, save in the ephemeral and short-lived soviet regimes of Hungary and Bavaria.

This fact created the theoretical problem and the historical reality of "socialism in a single state" to which the universal revolutionary pattern expounded by Trotsky was opposed.

In this too the October Revolution stands alone. In most previous revolutions, after the accomplishment of initial aims, other forces took over, sometimes to restore prerevolutionary regimes, at others to synthesize or compromise the revolutionary gains. In all these cases the revolutionary retreat was sounded not by the founding fathers but by successors of other derivations—epigoni.

If every revolution has its Thermidor—an anticlimactic period of moderation during which the apex of revolutionary achievements is liquidated by new counterrevolutionary elements—then it may be said that in the October Revolution the Thermidor was brought about by those who had originally inspired the great upheaval. The same Soviet power which expropriated the holdings of the nobility and the monasteries, and distributed them to the peasants, at the height of its revolutionary attack, in turn expropriated the Russian peasants in the early thirties and subjected them by violence to collectivization in the collective farms, the *Kolkhozes*. Later, the same Soviet authorities made a partial restoration of personal landholdings. In its period of genesis, the Soviet government abolished ownership and the civil code and introduced a natural law conceived along lines of revolutionary “legal consciousness” and equity. Judicial precedents from Czarist times were forbidden. Five years later, a new economic policy of provisional *laissez faire* in trade and industry was established, and in 1923 a new Soviet Civil Code was enacted to regulate property and inheritance.

Similar changes were inaugurated in another field of civil law—marriage and family rights. In Czarist Russia marriage was registered and solemnized by the clergy. Divorce entailed long and expensive trials before clerical tribunals because of the prohibitive enactments of the Orthodox Church which, in this respect, stood little behind the Roman Catholic Church. Therefore divorce was available practically only to the propertied classes.

The institution of marriage and family was disastrously affected by the Revolution; and radical emancipation of women contributed to the disaster. Under such conditions of decadent family ties and authority, moral and sexual looseness was inevitable and led to depreciation of marriage and family as a "bourgeois" institution, a heritage from the older regime, and therefore to be abolished. However, in this field too, the process of restoration was inaugurated. The need of permanent and more binding marriage ties, and of predictability in vital statistics of population increase, as well as the discontent of women with the anarchy of free love led to reforms only very slowly.

A radical reform in matrimonial and family law was carried out by the Ukase of the Presidium of the Supreme Soviet of July 8, 1944. This change can be properly evaluated only by comparison with the first decrees and regulations dedicated to this question. As early as December, 1917, a special decree proclaimed the freedom of divorce on the basis of a declaration by both spouses or one of them. The first years of the Soviet regime constituted a most radical period of the denial of the old postulates of any traditional matrimonial law. Alexandra Kollontay⁸ proclaimed in her popular booklet:

The family ceases to be a necessity. . . . The new State of Labor needs a new form of relations between the sexes. Instead of the narrow love of the mother only to her own child a new love should emerge, a love of mothers to all children of the great labor family. Instead of an indissoluble slavish marriage a free union of two equal loving members of the labor society has to be introduced.

The later Code of 1927 declared in its introductory pro-

⁸ *Semya i kommunisticheskoye gosudarstvo* (The Family and the Communist State), Moscow, 1920, pp. 20-23. A most ardent advocate among Soviet legal writers of the necessity of full identity between a registered and factual non-registered wedlock is Y. N. Brandenburgski, *Brak i semya* (Marriage and Family), Moscow, 1926, pp. 3-15. He points out that only bourgeois civil law can deprive the illegal marriage of any legal obligations.

visions of November, 1926, that a new revolutionary status of marriage and family is to be established. In this code, a full juridical identity between a factual and registered marriage and freedom of divorce was introduced.⁹ Even a casual relationship could, upon a unilateral application on a simple postal card giving the name and, if possible, the address of the party, be effected into a registered marriage. Such registered marriage, in its turn, could be dissolved by unilateral application of either party on a simple postal card. The applications above referred to having been made by mail, it was not uncommon for the marriage and its dissolution to be entered in the Registry (the Bureau of Vital Statistics) on the same date.

The Great Soviet Encyclopedia (Volume VII, under the word Marriage) admits that vociferous rightists and moderate farmer elements—before the agrarian collectivization—objected to the draft (which later became the Code of Laws on marriage, divorce, and guardianship) and its too loose forms of marriage. There was a strong opposition to the legalizing of the free conjugal relationship, to the informalities in concluding and dissolving a marriage, to the absence of specific terms for the entry into marriage, etc. The farmers contended that this would inevitably harm and even wreck the farmer's economy and the stability of village life through the interference by a constant rotation of wives with the personal economy and order of the farm. Public discussions continued for many months; still the draft became the Code of Laws.

A new marriage law was enacted on June 26, 1938. Divorce was made more difficult. The officer in charge of registering applications for divorce was required to ascertain the grounds upon which the parties were seeking divorce and, if these were not sufficiently serious, to advise postponement and reconsideration. Payment of alimony to the needy spouse was strictly

⁹ *The Soviet Law on Marriage*, full text of the Code of Laws on marriage and divorce, the family, and guardianship (Moscow, Cooperative Pub. Soc. of Foreign Workers in the U.S.S.R., 1932).

enforced, and evasion of payment was made a criminal offense. Subsidies were provided for large families. Here, too, the need of law and order brought about—in a country of radical revolution—the first rehabilitation of the most ancient institutions, family and marriage.

Further, the Edict (Ukase) of the Presidium of the Supreme Soviet issued on July 8, 1944,¹⁰ created an entirely new restoration of more conservative principles foreign to the old revolutionary status. The edict consists of five sections: (I) on increasing state aid to mothers of large families and unmarried mothers; (II) on increasing the privileges for expectant women and mothers, and on measures for extending the network of institutions for protecting mother and child; (III) on the establishment of a "Brotherhood Medal," and the order of "Glory of Motherhood," and the honorary title Mother Heroine; (IV) on the tax upon bachelors and single women; and, juridically most important, (V) on changes in laws on marriage, family, and guardianship.

The Soviet daily press avoided interpreting on the very important fifth section of the ukase while concentrating on the first four sections, which contain only the detailed provisions on aid to mothers and children entirely independent of the purely civil status of the marriage, divorce, etc. Instead of the unlimited freedom of divorce before the *administrative* bodies (the Registry of the acts of civil status) upon a simple declaration of both spouses or even of one of them, the new edict introduces a *judicial* procedure whereby "divorces are to be effected publicly through the courts," and only in certain cases at the request of the spouses may a divorce be heard in chamber (Article 23). Moreover the Court is obliged to influence the parties not to destroy their previous marriage; and therefore

¹⁰ Cf. *Information Bulletin* of the Embassy of the U.S.S.R., Washington, D.C., No. 84, July 25, 1944.

the People's Court is obliged to establish the motives for the filing of a petition for the dissolution of a marriage, and to take steps to reconcile the parties; for this purpose both parties must be summoned and, at the discretion of the Court, witnesses as well. Upon a failure of the People's Court to reconcile the parties, the petitioner has the right to file a petition for the dissolution of the marriage with the higher court [Article 25].

Moreover new court fees of at least 100 roubles for the filing of the petition for divorce were introduced to discourage the application; higher amounts ranging from 500 to 2,000 roubles, discretionary with the Court, were to be paid for a certificate of divorce. It was observed that such amounts were prohibitive for the average wage earners.

The dual intention of the legislator is clear: on the one hand he wants to solidify and strengthen the family as an institution, on the other he wants to avoid discouraging the growth of the population, particularly at a time of tremendous war losses. This leads him to abolish a basic legal right which has existed throughout the whole Soviet period—the right of every mother to alimony. Article 20 provides “the abolishment of the existing right of a mother to appeal to the court for the purpose of establishing fatherhood and claiming alimony for the upkeep of a child from a man to whom she is not legally married.” The similarity of this article to the old Napoleonic rule (Article 430 of the Code Napoléon) that the “search after fatherhood is prohibited” (*la recherche de la paternité est interdite*) remains symbolic because both these norms emerged under war circumstances in states much concerned about increase of population. But the two are dissimilar in that the Soviet law provides for automatic financial participation by the state in the upkeep of children and in aid to mothers, including the unmarried.

Of perhaps greater psychological and social relevance is the fact that the new edict rehabilitates the old “bourgeois” divi-

sion of marriages into legal and illegal, ascribing rights and duties to the legal alone and denying to the illegal juridical recognition in any degree. This is laid down in Article 19, which states:

Rights and obligations of husband and wife provided for under the Code of Laws of the Union Republics on marriage and family or guardianship, accrue from legally registered marriages only.

Persons who have been married de facto prior to publication of the present Ukase may legalize their relations by registering the marriage and stating the actual period of their conjugal life.

It is noteworthy that this juridical approach is directly repugnant to Article 25 of the old code, which provides that children born out of wedlock are entitled to the same rights as those born in wedlock. This section of the old code is now impaired. Furthermore no provision is made for the inheritance of children born out of wedlock.

While an *Izvestia* editorial of July 9, 1944, emphasizes that the new edict of July 8 is dictated by high ethical considerations and is the incarnation of moral purity and family security, a *Pravda* editorial of the same date cautiously adds that the new Ukase is designed to increase the birthrate.

These complicated and thorny developments ended in the restitution of the family and the rehabilitation of the parental home.

Another compromise by which revolutionary intransigence was superseded by tacit and hidden fulfilment: The first Soviet Constitution of 1918 refused recognition to the foreign debts of the Czarist regime and solemnly annulled them. Stubborn adherence to this principle caused the Genoa Conference of 1922 to break down and interfered with an early entrance of Soviet Russia into the League of Nations. A few years later these debts were informally paid, in amounts many times greater, through channels of foreign trade in which

payments and prices were arranged by different boards or departments of the Soviet government.

In the early years another important point was class discrimination against individuals. The Soviets yielded, in this, to the centuries-old hatreds and prejudices of the masses. Children and young people of bourgeois or clerical origin were officially barred from high schools, universities, and higher technical schools, and from civil or military service. Conversely, proletarian origin was an advantage. And because numerous administrative posts in government service, and in technical and skilled trades, were denied to persons of bourgeois, aristocratic, or clerical extraction whose qualifications otherwise were entirely satisfactory, there was sore discontent and frequently great inefficiency. Stalin made an end of this unjust and inexpedient discrimination in the second half of the 1930's.

It is not our object, however, to enumerate exhaustively the twists and turns, the advances and retreats, the rules and compromises in policy made by the Soviet Union out of Thermidorian considerations. The maintenance of order in the Soviet state called inevitably for rehabilitating institutions of non-revolutionary and even counterrevolutionary origin that reach back centuries in Russian history—even to the political and social experiences of the ancient Muscovites.

The scope of the rehabilitation resulting from the liquidation of the first romantic period and its dogmatic, partisan intransigence—without which the final Thermidorian trend would have been unthought-of—embraced some problems which could be reduced approximately to the following issues:

(a) Restoration of Russian history, parallel with a trend toward full revival of Russian nationalism and the local nationalisms of other nations of the Soviet Union.

(b) A renewed consolidation of the federal framework accompanied by a strengthening of the constituent Union Republics and of their self-determination.

(c) The restoration of law as an independent regulator of human behavior—not in the sense of a Marxian superstructure determined by the economic basis of society.

(d) The adoption of a new policy of religion and family relations.

(e) The full, unreserved return of the Soviet Union into the comity of nations with unrestricted collaboration in all fields of foreign policy on an equal footing with other great powers.

Up to the time of the First World War the masses of Russian people—and that goes for the overwhelming majority of the soldiers—were unable to differentiate clearly between Germany and Russia's Allies in the West. Only the elite were aware of this distinction.

Without having undergone a period of acceleration of enlightenment and education, prior to the Second World War, it would have been impossible in 1941–1945 even to consider rapprochement between the Soviets and the western world. Had foreign policy remained, as it was under the Czars, the domain of the upper classes and the intelligentsia, Soviet Russia could never have brought the masses to a positive acceptance of political alliance with the United States of America and Great Britain, who until then had been looked upon as the outstanding capitalist powers hostile to the Socialist Soviet Union. Thus enlightenment and education constituted a *sine qua non* of future rapprochement between the Soviet Union and the West.

II

From a backward country with a population in 1897 that was 72 per cent illiterate, Russia became a country of high cultural standard and an almost entirely literate¹¹ people. In

¹¹ See D. Mendeleyev, *K poznaniiy Rossii* (On the Knowledge of Russia), St. Petersburg, 1906, p. 54.

1920 the illiterate had dwindled to 60 per cent, and by 1934 only about 10 per cent could not read.

The effect of this advance in literacy may be seen in the growing numbers of schools and newspapers. In 1913 there were 859 newspapers in Russia, with a combined total circulation of 37,500,000. In 1914-15 there were 1,953 secondary schools with 635,591 pupils; in 1939 there were 15,810 secondary schools with 10,384,612 pupils.

Thomas Carlyle in *Heroes and Hero-Worship* recognized that one of the most important and truly democratic principles of the French Revolution was formulated by Napoleon in the slogan *La carrière ouverte aux talents* (The implements to them who can handle them). "It includes," adds Carlyle, "whatever the French Revolution, or any revolution, could mean." If this is true the Soviet Revolution achieved incommensurably greater results than ever the promoters of the French Revolution could have dreamt, because of the Soviet educational policy of free compulsory elementary and higher education, supported by state stipends and maintenance grants for talented students at universities, technical schools, and art academies.

A corresponding growth was shown in the number of college and university students, and there was a great increase in adult education, which made available to the masses the classics of Russian literature with their outspoken opposition to Czarist autocracy and with their liberal and humanitarian point of view. A comparison of the quantities of such classical works distributed before and after 1917, reveals some interesting, if not remarkable, facts. Whereas prior to that date standard classical works had been circulated to the extent of tens of thousands of copies—some authors reaching hundreds of thousands—the postrevolutionary sale of the same authors was very much greater: A. S. Pushkin, 29,840,000; N. A. Nekrasov, 8,250,000; L. N. Tolstoy, 20,916,000; I. S. Turgenev, 9,906,-

000; M. E. Saltykov (Shchedrin), 6,755,000; A. P. Chekhov, 15,326,000.

The distribution of the works of Russian literary giants in such colossal numbers was a great achievement; but not all large-scale publication was of such high standard. Daily newspapers and other periodicals were marked by entire subservience to current Communist dogma and the shifting lines of dictatorial politics. Some allowance was made for local parochialism, but all else was stereotyped.

The service rendered by the reprinting of the great prose, poetry, and dramatic literature of the past, as well as the writings of the classical *publicists*, was all the greater in view of the regimentation of contemporary writing. Pushkin, Lermontov, Gogol, Griboyedov, Tolstoy, Turgenev, and hosts of others, who had written against Czarism, despotism, arbitrary administration, and other social evils; and Russian critics and publicists like Belinsky, Herten, Chernyshevsky, and Pisarev had served to keep the educated people mindful of the social and political superiority of the West. They had helped to point the lessons of freedom in a country of despotism and serfdom. It is evident that when their readers mounted from tens of thousands to millions their service in these respects was not diminished. Despite Soviet indoctrination and a regimented daily press, the critical spirit and the sense of objectivity, the understanding of new ideas and viewpoints, did not die in the literate population for want of nourishment. Democratic institutions appear embalmed, as relics of the past, to be sure, but the twentieth century parallels of the servility, red tape, and arbitrariness of officials held up to scorn in Gogol's *Inspector General*, written in 1830-35, are not likely to escape notice in the present Soviet state. Like actions provoke like reactions. A literature that condemns oppression and extortion and calls on men not to obey but to resist, not to tremble but to mock, helps to keep the democratic spirit alive even under the most unfavorable political conditions. In this connection the

influence of the literature of foreign countries, and especially of Anglo-Saxon literature, was great in the field of culture and education, as is shown by the following data:

During the years 1917 to 1925, works of fifty English authors were translated into Russian. Among these were Kipling, Galsworthy, D. H. Lawrence who heads the list with eleven separate titles, Chesterton, Shakespeare, Byron, Coleridge, Sterne.

In the four years from 1928 to 1933, as many as seventy English books were translated into Russian. Among the writers were James Joyce, Shaw, Walpole, Hardy, Maugham, Wodehouse, and the masters of the past, Ben Jonson, Macaulay, Swift, Robert Louis Stevenson, and Swinburne.¹²

From 1917 to 1942, about twenty American writers were translated into the Russian language, including Pearl Buck, Paul de Kruif, Harriet Beecher Stowe, Upton Sinclair, James Fenimore Cooper, Longfellow ("Hiawatha"), O. Henry, Mark Twain, Jack London.

Following is a comparison of the Russian sale of works of three English authors:

AUTHOR	IN CZARIST TIMES	SINCE THE REVOLUTION
	(1894-1915)	(1917-1944)
Byron	178,000	488,000
Dickens	850,000	2,086,000
Shakespeare	611,000	1,209,000

The history of England and of the United States has drawn the interest of Russian historians. In this the school played a part that was established in the University of Moscow by the famous Sir Paul Vinogradoff, simultaneously professor at the Moscow and at the Oxford University. Here are some important historical works by Russian authors:

¹² "Westernization of Russia," *Times Literary Supplement* (London), Jan. 24, 1942.

V. M. Lavrovsky, *Parliamentary Enclosures of Community Lands in England at the End of the Eighteenth and the Beginning of the Nineteenth Century* (Moscow, 1940).

S. Archangelsky, *The Agrarian Legislation of the English Revolution* (Moscow, 1940).

I. Popov-Lensky, *Lilburn and the Levelers* (1928).

F. Rotstein, *Studies in the History of the Worker Movement in England* (1925).

M. Malkin, *The Civil War in the United States and Czarist Russia* (1939). An exhaustive research.

A. Yefimoff, *On the History of Capitalism of the United States* (1934).

E. Gurwitch, *Postwar America* (1937).

In contemporary Russia, as elsewhere, underlying sociological and psychological forces are in the last analysis more important than legal documents, constitutions, or political forms.

From roughly the last third of the nineteenth century, the political democracy which first tried its strength in the "Conditions"¹³ of 1730 and reached its height in the Decembrist Revolution of 1825, was turned by Czarist oppression into the channels of merely *social* democracy. The peasant character of the country influenced this trend decisively. The ending of serfdom in 1861 brought official recognition to the prevailing social forces. Nevertheless, the 130,000 landed gentry remained politically predominant—exactly one-thousandth part of the population ruling the Empire.

The industrial revolution in Russia, in creating a mass urban population, established the sociological frame for problems of democracy which were already actual in Western Europe. All political thinking was divided ideologically and politically,

¹³ In 1730 the Russian aristocracy presented to the candidate for the Russian throne, Anna, Duchess of Courland, its demands for an aristocratic constitution with limited monarchic powers. These "Conditions" were granted, over the signature of Anna; but she wholly disregarded them after ascending to the throne.

as we have seen, between the rural bias of the Populists and the urban tendencies of the Marxists. Behind this modern discussion continued to be the backward monarchical structure. Czarism and aristocratic privilege could not prevent the rise of democratic ideas. In political thinking, not even the nobility stood on its privileges. A few illustrations will show the fallacy of the Marxian declaration that "being determines cognizance and thought." Radishtchev, a member of the nobility, was among the first to urge the abolition of serfdom. Among the leaders of the Decembrist Revolution were high nobles and military officers who broke clean with aristocratic privilege and interest.

The poet Nicholas Nekrassov reacted in the following way to this unique development in his poem, "The Russian Women":

A jest that was made by the wit Rastopchin
In every salon was repeated:
"In France to be gentry the bootmakers yearned
And so they did make revolution.
In Russia, however, the tables were turned:
The gentry their ancient nobility spurned
In equity's name, the solution."

The founders of socialism, self-sacrificing in their leadership of radical, social movements, often belonged to the high or middle aristocracy. Among these were the anarchist founding fathers: Michael Bakunin, Prince Kropotkin, Leo Tolstoy. Leading figures in the Populist movement were Sophia Perovskaya, Alexander Lopatin, Alexander Mikhailov, Catherine Breshko-Breshkovskaya. Among the initiators of the Social Democratic movement George Plekhanov and Vera Zasoulitch were of noble extraction. Among the leading Bolsheviks Alexandra Kollontay (now ambassador to Sweden), Vladimir Bontch-Bruyevitch (Secretary of the Council of People's Commissars), Anatol Lunacharsky (Commissar for Public Instruction, 1917-1929), and George Chicherin (Commissar

for Foreign Affairs, 1918–1929) were all of aristocratic origin; while Lenin (Vladimir Ulianov) himself belonged to the middle bureaucracy.

The intelligentsia was the chief revolutionary stratum. With economic characteristics still undefined in Russian political economy, it was a cut above the proletariat and the peasantry. Part of it belonged to the Czarist civil service, but it was permeated with opposition to the official state order and system of justice. Called nihilists in some conservative Russian circles and by Tories outside Russia, the intelligentsia were in reality nihilists only of the Czarist leviathan state. Given opportunities of free political development within a democratic state, these nihilists would have exercised constructive energies in all fields. In Russia they could only be restless, embittered, extralegal, destructive democrats. They found some spiritual freedom in literary production. Only in the periodicals of radical social democracy could they vent their hatred of Czarism and their contemptuous skepticism of the western constitutional or democratic states which maintained relations with their own perfidious government.

In this atmosphere the Russian democratic and socialist parties first appeared on the political scene at the end of the nineteenth century and the beginning of the twentieth. It is small wonder that Russian democrats were more radical and less patriotic than their brothers-in-thought in Western Europe. Patriotism was perhaps at its lowest ebb on the eve of the Revolution of 1905, during and after the Russo-Japanese War. The defeat of Czarist Russia was enthusiastically acclaimed by all opposition factions and movements; and only after their partial legalization and after the appearance of parliamentarism, in 1906, did the standard of patriotism and the feeling of participation in government rise to a higher level.

This clandestine, underground democracy in Czarist Russia was never rightly understood in the West. The colorful façade

of Russian monarchism, its peculiar Empire style, the aristocratic polish and outward splendor of its diplomatic and consular service as compared with the Western European civil services, led to a misjudgment of the character and the power to survive of the Czarist regime, and of the strength and the chances of the opposition. Petrograd (St. Petersburg), the capital of a vast, wealthy, and industrially growing Empire, obscured the perception of Petrograd as the bridgehead of revolution. At the end, Czarism was only a shell.

In the First World War this political shell and protecting armor of the country wore transparently thin. Clandestine Russian democracy, opposing the monarchy for decades with criticism, terrorism, and destruction, had too long failed to think of military defense of the country. The democratic revolution of March, 1917, was in large measure the reaction of disappointment against the exhausting war. It began with the breaking down and burning of the double-headed eagle, the symbol of the State since the fall of Byzantium, not only over official buildings, but in every private pharmacy.

Eight months was not, however, a long enough period for Russian democracy to fill the void of *étatisme* and to raise the low ebb of patriotism. This was done later by the Soviets. Nor was the interval long enough to bring bread and peace to the masses. The preponderance of social over political democracy was a fatal handicap to Russian democracy in the creation of a state order. While its social demands were overripe, its knowledge of the need precise, and its program in all fields exact, it was unable to act, afraid to give orders or enforce discipline, and unprepared to fight the foes that appeared unexpectedly from the left. In the decades of clandestine work the energies of Russian democracy had, so to speak, been directed wholly toward the right, toward destroying Czarism and the reactionary rightists, monarchists, and clericals. On the left, there were only more or less close friends who were also interested in the capture of the Czarist fortress. But it was from the left that

the deadly blow to democracy came—from those very ranks which, in the first weeks of the February Revolution, raised the cry, “The democratic Provisional Government is unable to overthrow Czarism, it is unable to convoke the Constituent Assembly as the highest organ of the people’s will.” Who could have expected and prepared for this turn of events?

But this inability of Russian democracy to keep power after seizing it is no proof of Russia’s *innate* democratic weakness; nor is the democracy, as some writers think, dominated by a *traditional habit of obedience*.¹⁴ If this were so, the prospects of rapprochement between the western states and Russia would be slight indeed.

Throughout the St. Petersburg period, only the reigns of Emperors Nicholas I (1825–1855) and Alexander III (1881–1894) were undisturbed by public unrest. But even during these reigns discontent and revolutionary consciousness arose as oppression increased.

The October Revolution was originally conceived of as the first stage of world revolution. Distrust of the state, the belief that democracy was a fetish before which the masses were forced to bow by the exploiting classes, was rampant. Hence the revolutionary forces had to seize state power in order to overthrow the state and replace it with a new universal social order in which the state as such would be useless. *Every cook* was to be educated to administer the state machine.¹⁵

¹⁴ Harold J. Laski, *Reflections on the Revolution of Our Time*, New York, 1943, pp. 53–54.

¹⁵ “We are not Utopians. We know that just any labourer or any cook would be incapable of taking over immediately the administration of the state. But . . . we demand that the *teaching* of the business of state administration should be conducted by the class-conscious workers and soldiers, that this should be started immediately, i.e., that steps should be taken *immediately* to start giving such instruction to all the labouring masses, all the poor . . . The most important thing at the present time is to get rid of the prejudice of the bourgeois intellectuals that only special officials can carry on the administration of the state.” (V. I. Lenin, *Collected Works*, New York, International Publishers, 1932, Vol. XXI, b. 2, pp. 35, 37, 48.)

In Western Europe the vision of the *Communist Manifesto* failed of realization in the revolutions of 1848 and 1870-71, and left only a "degenerate" legal socialism, a trade unionism, and a workers' movement devoid of revolutionary spirit. The vision was to be realized in a country where there was no political democracy, and where capitalism was only in its early stages. This time utopia was not suppressed by violence. Resistance of the reactionary exploiting classes and their generals, the counterrevolutions and *coups d'état* failed. The vision faded away, dogmatic complacency gave place to doubts, and the optimism of social fanaticism was confronted by economic and political inefficiency in many fields. The Soviet system achieved its tasks of state and its goal of industrialization by inconsistency, compromise, the *original sin* of early orthodox Marxism, and by collaboration and cooperation with bourgeois states in constructing the collectivist economy of the Single Socialist State.

The overthrow of the French national workshops in 1848, and of the Paris Commune in 1870, could be ascribed to reaction; and there was an aftermath of *if's* which made it possible to point out that the experiments failed because of the interference of external forces; had it been possible to maintain the innovations without interference, they might have endured.

The Soviet Union can make no such plea. Full freedom of social experimentation and political regimentation was given to the Soviets, who had *all power*. Nevertheless, the revolutionary tide receded from the heights reached in the first years.

Statistics to prove this are lacking, but collectivization of the country, parallel with industrialization, would have been impossible without the participation of the capitalist countries, their machines, their skill, and their experts. It was an economic process, unforeseen and never considered by scientific socialism. For decades this doctrine had envisaged the fall of

capitalism in countries of such a high integration of capital that the dictatorship of the proletariat would need only to replace the top managers of industry in order to establish a new order.

The expropriation of the expropriators involved the ripening and the decline of only one kind of production—the capitalistic—and its conversion into a socialistic production. This metamorphosis was not confined within political boundaries—hence the Stalin-Trotsky controversy which pivoted around the question whether socialism is to be international or is not to be at all. In Russia a grandiose attempt was made to translate an international idea into national terms. The attempt succeeded.

It is pointless now to argue that the collectivist system could have been introduced into Russia, European and Asiatic, in ways perhaps slower but more humane and less painful for hundreds of thousands of peasants who had no wish to leave their humble rural huts for collective farms, and other thousands of urban people who were forced to find new sources of income and methods of earning. It is too late to argue that the liquidation of aristocracy and mass education are not goals peculiar to socialism, and that they could have been achieved in democratic ways without dictatorship. The result achieved, however, has been the complete adjustment of the Soviet Union to the technical genius of the age. Without that achievement, the Soviet Union would have been unable to meet the exigencies of modern warfare.

There is, moreover, no doubt that without radical collectivization of the peasantry, which was preceded by reckless extermination of primitive forms of agriculture and individual landholding, the farm tractor could not have been introduced into village life for a hundred years. This compulsory collectivization made possible the machine-mindedness essential to preparing Russia's farming millions for modern war.

None of this bears on the moral evaluation of measures

which oppressed or annihilated millions of people. This is not, however, the first case in history in which moral judgment and political measures have seemed to conflict. If we consider that a Nazi-Germany victory would have obliterated all democratic and humanitarian values, the Soviet Union, from an objective point of view, constitutes a democratic factor that is both positive and constructive despite its own lack of democratic guarantees.

After a quarter-century of rejecting the traditional values of state order, the Soviet Union became transformed as a state and as a fatherland. Like the prodigal son in Jesus's parable, the rebel and iconoclast came home; the supporter of international revolution became the defender of national existence and the trumpeter of Russian national pride. The government which began as an advocate of universal civil war entered upon a national war for the fatherland.

For the sake of exactness, two distinct entities may be discerned which are inseparable in practical life; namely, Russia the country with specific national interests, and Russia (or rather the Soviet Union) the incarnation of a new idea and a new social and political regime.

Even before the Second World War these phenomena were indissolubly amalgamated. Only for two short years was there any attempt to separate them, in fact. From August, 1939, until Germany invaded Russia in June, 1941, stress was laid on the incongruity between Russia's Soviet regime and her foreign policy. It was then that Molotov declared the fight against fascism to be a question of taste; the famous *Political Dictionary*, a distillation of Soviet political doctrine, omitted everything that might be interpreted as being hostile to Nazi Germany. Published in 1940, it listed Bismarck, but did not list Hitler, Göring, or Goebbels. In this way it was possible to avoid any embarrassing characterization of the leaders of Nazism. Nothing was said about National Socialism although Fascism was characterized in general terms without reference

to Germany. Verily, in their silence they scream (*cum tacent clamant*).

Under the word "Germany," the Dictionary¹⁵ says in part:

"In 1937 by a special treaty¹⁶ Germany, Italy, and Japan strengthened their political partnership. England and France did not hinder Germany from enlarging her possessions in Central and Eastern Europe at the expense of other states, hoping in this way to set Germany at war with the Soviet Union. But the insidious plans of the Anglo-French warmongers of the Second World War were overthrown. In his report to the Eighteenth Congress, Comrade Stalin raised the question of good neighborly relations between the U.S.S.R. and Germany. This declaration of Comrade Stalin was properly understood in Germany. On the proposal of the latter, new negotiations were started for a convention on credit and commerce, which ended in the signing of the convention on August 19, 1939. Later Germany expressed its wish to improve political relations with the U.S.S.R. The previous conventions and that of August 23, 1939, mark a decisive turn in Soviet-German relations and are therefore an international event of the greatest historical significance."¹⁷

After Germany's treacherous attack on June 22, 1941, all was changed. Suddenly the war against Germany which, while Russia was on the side lines, had been "just another imperialist war" became a war of freedom-loving peoples against the Fascist Axis and Nazi Germany, and in particular a national war of liberation for Russia itself. The result was a tremendous upsurge of national sentiment and appeal to national tradition. The war against Germany became a "Great

¹⁵ *Politicheski Slovar'* (Political Dictionary), Moscow, State Publishing House, 1940, pp. 128-132.

¹⁶ Meaning the Anti-Comintern Pact, the odious name of which is intentionally omitted by the editors because of the anti-German "prejudices" of the Soviet reader.

¹⁷ We may remind the reader that in the pacts of Aug. 23, 1939, Russia promised not to "interfere" in German internal affairs or in the sphere of German interests (the exact form taken by this promise is not known). Cf. David J. Dallin, *Soviet Russia's Foreign Policy, 1939-1942* (New Haven, Yale University Press, 1943), pp. 61, 62.

Fatherland War" in the imperial style of 1812. Soviet Russia renewed old patterns of Russian patriotism. This trend reached its height in the declaration of May 22, 1943, dissolving the Communist International (Comintern).¹⁸

The declaration itself shows a certain distortion of the task of the dissolved Comintern. It is said to have been a "result of a political union of the great majority of the old prewar working-class parties"—an erroneous characterization, since the majority was opposed to Bolshevism. The task of the Comintern is said to have been to help "mobilize workers for the defense of their economic and political interests, and for the struggle against Fascism," which is a feeble understatement of the real objective of universal social revolution. As a matter of fact, Article I of the Standing Rules of the Comintern reads as follows: ¹⁹ "Being the leader and organizer of the world revolutionary movement of the proletariat, and the protagonist of the principles and aims of communism, the Communist International strives to win over the majority of the working class and the great masses of the poor peasantry, fights for the establishment of the world dictatorship of the proletariat, for the establishment of a union of socialist soviet republics, for a complete abolition of classes and the realization of socialism as the first stage of a communist society." Its most important task is said to have been the "support of the Soviet Union as the chief bulwark against Fascism"—a statement plainly untrue, because Fascism was not in existence in January, 1919, when the Comintern was founded.

The Comintern left to its followers a legacy of positive admonition in that it declared it to be the sacred duty of the masses of the people and the workers in countries of anti-Hitlerite coalition to aid "by every means the military efforts of the governments of those countries." The testament of the

¹⁸ Cf. text of the declaration in the *New York Times*, May 23, 1943.

¹⁹ Cf. *Program and Standing Rules of the Communist International*, 1932, Moscow, 10th ed. (Russian), p. 163.

Comintern thus makes patriotism and war effort the sacred duty of the proletariat.

Moderate socialists, especially among the Russian émigrés, find in this declaration a ground for charging Soviet policy with inconsistency. There is doubtless external inconsistency, but Soviet policy must be viewed objectively, in terms of the ideological necessity of strengthening the Soviet Union as a state fighting for its very existence. The dissolution of the Comintern is evidence that Russia had to substitute its state interest for the issue: Socialism in a single state *versus* universal social revolution. This was a notable milestone on the road to nationalism of the Soviet Union.

The question remained, however, whether the volte-face from ecstatic social voluntarism, typical of early Bolshevism, to emphatic national patriotism might not be merely tactical retreat *pour mieux sauter*: First save the Union, and then renew the effort at world revolution.

But the new course was not altogether the result of war emergency and propaganda. It began after the death of Lenin; it progressed during the Stalin-Trotsky encounter over the possibilities of establishing socialism in a single state. There was further evidence of it in the entry of Soviet Russia into the League of Nations and the corresponding dissolution of the Comintern; and doctrinal recognition was given it in the Constitution of 1936.

- During the period just preceding the Second World War, a Soviet national state doctrine which, because of the imprint of its author, might be designated Stalinism had entirely supplanted the dogmas of 1917. This doctrine was so free from traditional ideological precepts that its founder could enter a treaty of nonaggression with Germany. Every action of the State was subjected to the test: Is it good or bad for Soviet Russia? And in deciding this question, the national interests of the Soviet state were paramount. The welfare of the state first dictated the policy of not fighting against fascism, and

then of making war upon it. Neither decision was referred to abstract criteria of sacred socialist duty. The decision to make a treaty with Germany in 1939 was justified publicly as offering decisive advantages to the Soviet state, which could not be gained by coalition with Britain and France.²⁰

The appeal to Soviet national interests is mirrored in the changes made in the military oath, in 1939.

The original oath²¹ was as follows:

The formula of the solemn promise given when entering the Workers' and Peasants' Red Army:

1. I, a son of the working people, citizen of the Soviet Republic, hereby adopt for myself the title of a warrior of the Workers' and Peasants' Army.

2. Before the working classes of Russia and the whole world I pledge myself to bear my vocation with honor, to learn conscientiously the art of warfare and to guard as the apple of my eye the military and state property from damage and plunder.

3. I pledge myself strongly and firmly to obey revolutionary discipline and irrevocably to carry out all the orders of the commanders installed by the power of the Workers' and Peasants' Government.

4. I pledge myself to abstain from, and to restrain my comrades from, any deeds unworthy of a citizen of the Soviet Republic, and to direct all my acts and thoughts toward the lofty aim of the redemption of all toilers.

5. I pledge myself, on the first call of the Workers' and Peasants' Government, to stand up for the Soviet Republic against all dangers and the endeavors on the part of all her enemies, and not to spare my strength and even my life in the struggle for the Russian Soviet Republic, for socialism and the brotherhood of nations.

6. If I falsely betray this my solemn promise, may the common contempt fall upon me and the heavy hand of the revolutionary law punish me.

In this promise of the soldier the Russian Soviet Republic,

²⁰ Even Harold J. Laski recognized this (*Reflections, etc.*, p. 65).

²¹ *Collection of Statutes*, Mar. 27 to Apr. 14, 1918, No. 446.

socialism, and the brotherhood of nations are objects equally to be defended.

- Twenty-one years later, on January 3, 1939, a new military oath was prescribed by the Supreme Soviet. The paragraph in the new oath, corresponding to paragraph 5 of the original, reads as follows:

I am always ready upon the order of the Workers' and Peasants' Government to defend my country—the U.S.S.R.—and, as a warrior of the Workers' and Peasants' Red Army I pledge myself to defend her courageously, efficiently, with decency and honor, not sparing my blood and even my life, in order to achieve victory over the enemies.

Neither socialism nor the brotherhood of nations is an object of military defense in the new oath.

Paragraph 2 of this oath, preceding the paragraph just quoted, reads:

I pledge myself conscientiously to learn the art of warfare, meticulously to guard the military and people's property, and to be to my last breath sincere to my people, to my Soviet country, and to the Workers' and Peasants' Government.

In this, the reference to "my people" indicates the ethnographic and territorial group to which the soldier belongs, be it one of the sixteen Soviet Union Republics, or an autonomous Republic, or any other national district or area. Thus a Georgian Soviet soldier, for example, swears allegiance first of all to "my people," meaning the people of the Georgian Soviet Republic.

- It is clear therefore that Russian and Soviet nationalism is not a product of the war. It was born before the Second World War, and sprang from a long organic process. There is no reason to doubt that it will survive this war. Moreover, even the expansion of Soviet Russia, and the absorption of neighboring states or areas, took place long before the latest

expansion to the west, that is, to western Ukraine and White Russia, during the Second World War. Undoubtedly, this expansion attracted more attention because of the central European position of these sections. Caucasian Georgia, however, had been absorbed in the early years of the League of Nations (1921), and so had Azerbaijan.

In still other and now almost forgotten cases, the Soviet Union expanded even beyond the borders of the old Russian Empire, for example, in absorbing the former protectorates of Khiva and Bokhara in Central Asia, an area greater than that of the three Baltic States plus the former Polish border provinces of Ukraine and White Russia, and much richer in natural resources—oil, coal, cotton, etc.

During the Second World War the tender plant of Russian nationalism was watered by the tears of the Russian people. German invasion and occupation of Russian territory entailed much more than the oppression of native populations. It was marked by arrogant contempt for Russian culture. The occupied areas were Russia's most fertile lands, they included the magnificent national monuments around Leningrad (St. Petersburg), the "northern Palmyra," with its splendid architecture, palaces and museums; the northern medieval Russian city-states of Novgorod and Pskov, which had cradled Pushkin, Tolstoy, Turgenev, Tchaikovsky; the seats of ancient tradition, with Tver, Smolensk, and Kursk in the center, and the Ukraine, the vast Kuban districts, and the Caucasus and Crimea in the south and southeast.

In 1941-1942, Russian people were enslaved by invaders for the first time since the time of the Tartars (1237-1480); and even they left the Russian language, culture, folkways, and religion untouched, as well as the rule of the feudal princes. The Polish invasion early in the seventeenth century involved no suppression of the Russian people, nor did the invasion of Napoleon in 1812. The German occupation of Russia in the

First World War did not extend to the plains of Russia proper, but only over the western provinces—the Baltic, Polish, and Ukrainian districts.

The Nazi-German conquest was virtually the first one suffered by the Russian people since the feudal period. The enemy well known to the Russians through some two hundred crucial years of experience with those belligerent neighbors the Teutonic Knights, the Prussian monarchs, and Emperor Wilhelm II, with detested tyrannical court favorites, privileged administrators, cabinet ministers, officials, police agents, stewards of large estates, and with privileged colonists settled in their midst.

The Germans had entered Russia at various times. The first came as model farmers setting an example for the backward Russian peasants. The German colonies, in the eighteenth and nineteenth centuries, became islands of free peasants in a sea of Russian serfdom, enjoying a sort of cultural and religious autonomy. They had their own land, communities, churches, parishes, and schools, all closed to the Russian muzhiks whom they were meant to teach. They were scattered throughout the Ukraine, the Crimea, the districts of Volhynia, and the innermost parts of Russia. The vast German settlement on the Volga was the most important. Under the Soviet regime it was recognized as a separate autonomous Republic of Volga Germans. It numbered 400,000 German inhabitants and extended from Saratov to Kuibyshev, the former Samara.

The resolute dispatch and thorough efficiency with which this German Republic was wiped off the federated map of the Soviet Union, and with which its inhabitants were dispersed and deported to Siberia and other remote points, testify to the deep mistrust and hatred of the Russian people for the Germans, which they inherited from Czarist Russia.

Anti-Germanism, evidenced by Soviet literature, was also an outgrowth of Russian nationalism. The outbreak of the Second World War saw the Soviet government at the head

of a nation which had never before been so united. Czarism had never commanded such wide assent, primarily because there was a deep gulf of skepticism and mistrust between people and government which even defense of the country against the deadly German enemy in 1914-1917 could not bridge.

The Soviet government was wholly aware of the fact that in the momentous struggle against Nazi Germany the Russian nation, rather than socialism and class struggle, was the strongest bulwark of defense against the arrogant and cynically frank effort of the Germans to build for themselves a millennial future upon the enslavement of "backward" Russia, from the west and north to the Ukraine and the Urals.

It was upon the emotions of the Soviet nations that the government played when encouraging a new anti-German literature. In the Soviet Union federal principles are based on ethnic tolerance. It was therefore a difficult task, despite socialist cosmopolitanism, to depart from these postulates and single out the Germans as special objects of hatred. Poets, novelists, journalists—all stripped off doctrinal embroidery and called the war quite simply a war between Russia and Germany. Moving pictures connected the war of 1941-1944 with the fight of feudal Russia against the Teutonic Knights in the thirteenth century. Russian hatred of Germany, thus expressed, was irresistible because it was elemental.

An article by Nicholas Tikhonov in the Moscow *Izvestia* of June, 1943,²² illustrates the emotion that permeated all Soviet thinking. Under the significant title "We—Russians!" the article asserted:

From the German general to the lousy corporal, all the bandits of the Hitlerite robbers' army are brazen, arrogant, and blood-thirsty beasts. Surrendering, they whisper, "Hitler kaput," because from mortal funk they get convulsions. Armed to the teeth, they yet tremble before the Red Army; they are afraid of guer-

²² Reprinted in the New York *Novoye Russkoe Slovo*, July 2, 1943.

rillas and of the Russian people. They are surrounded by a sea of hatred.

They will never defeat the Russian people. Their bestialities evoke not horror but contempt and vengeance in the Russian soul. The Russian has begun to hate this beastly German breed with all the fibers of his soul. Russian people will not put down their arms until the last German occupant has left our soil. We shall have to fight until the last German begins to shriek in bestial fear and falls with a cracked skull.

.

The Russian people looks with pride to its glorious past, and with hope to its glorious future.

.

The Russians are immeasurably talented. We have a superlatively rich culture, an immense heritage in every field of art and science. In our military past—in the eighteenth century alone—we produced such great marshals as Peter the Great and Suvoroff. The history of all mankind does not contain more than half a score of such names, throughout more than a score of centuries.

.

During the most horrible days of the siege, the warriors at the Leningrad front found great source of strength in a simple but stern reply: "We are Russians; Leningrad shall not be surrendered."

A purely anti-German concept is expressed in an essay by Alexis Tolstoy.²³ Here, even the October Revolution of 1917 is seen not from the usual Communist standpoint but historically, as an act of liberation from the German influence and oppression. Says Tolstoy:

During two and a half centuries the Germans thoroughly, persistently, and according to plan crept into Russia: Germans commanded Russian armies, administered the estates of the nobility, taught Russian youth in the high schools and universities, settled in colonies on Russian soil; and still, to their irritation

²³ Alexis Tolstoy, *Otkuda poshla Russkaya zemlia* (The Origins of the Russian Commonwealth), Moscow, 1942, p. 13.

and wrath, Russia continued to be Russian. . . . German capital succeeded in its penetration. . . . And suddenly, when Russia, as a colony, was all but secure in Germany's pocket, the October Revolution shook off, once for all, from Russia the German parasites which had infested her.

Purely conservative and nationalist in his attitude toward the war is the Soviet writer V. Ivanov:

' I am Russian. My Fatherland stretches from the White Sea to the Pacific Ocean. My forefathers marched across those steppes and forests under the command of Yermak [the conqueror of Siberia in the sixteenth century]. My forefathers are they who fought in the ranks under Peter the Great. Their Cossack steeds drank from the waters of the Rhine. It was their standards that waved over the streets of Berlin [in 1760 and 1813]. It was they who defended the Fatherland, shoulder to shoulder, upon the field of Borodino. It was from my forefathers that Napoleon fled in panic, leaving his weapons behind.

These are poignant and conclusive testimonials of the profoundly patriotic motives of the Soviet people; and these motives cannot be separated from their anti-German emotions. The detailed First May Day Order of Marshal Stalin published on May 1, 1944,²⁴ does not contain one single word on world social revolution or on the international solidarity of the world proletariat. It is entirely and exclusively patriotic and is an open contrast to the usual contents of such declarations published on the "proletarian holiday" throughout a score of years.

The concluding slogans of this address are:

Long live our Soviet motherland! Long live our Red Army and Navy! Long live the great Soviet people! Long live the friendship of the peoples of the Soviet Union! Long live Soviet guerrilla men and women! Eternal glory to the heroes who have fallen in the battle for the freedom and independence of our country! Death to the German invaders!

²⁴ *New York Times*, May 1, 1944. The same is true of the order of May 1, 1945.

Notwithstanding the vehement anti-Germanism of the Soviet Union, which gave to the Second World War an aspect characteristic of earlier stages of Russian history but foreign to her Anglo-Saxon allies, and especially to the United States, Russia found ways and means of extending her support to an exile-German patriotic movement that was led by prominent German prisoners of war, who in the main were officers and soldiers. Official declarations and manifestos of this Free Germany group, which at first and after the fall of Stalingrad were very vociferous, did not contain any specifically Communist slogans. What is more, such slogans were cautiously avoided. In the months following the defeat of the Germans at Stalingrad, this organization was somewhat subdued, especially after it failed to galvanize previous German liberal and radical parties and movements against Hitlerism.

In reaction against German nationalism the Soviet Union revived an old movement which had once been part and parcel of Russian nationalism: the all-Slav patriotic movement. However, the new Slavophile movement had nothing in common with the reactionary, mystico-idealist or romantic movement of the second half of the nineteenth century called pan-Slavism. Although representatives of the same peoples—the western, eastern, and southern Slavs—participated in gatherings in Moscow, as in the earlier movement, these gatherings were but reaction to the practices of conquest, occupation, suppression, and decimation carried on by Nazi Germany and its predecessors, from the twentieth century back to the seventh, against the Slavonic peoples, which made necessary their unification under an ethnic denominator but without specific racial ideology. This new movement of pan-Slavism was but the practical and military expedient growing out of the transformation of old pan-Germanism into the German war machine of the Second World War.²⁵ Stalin in his victory

²⁵ See N. S. Derzhavin, *Vekovaya bor'ba slaviyan s nemeckimi zakhvat-chikami* (The Eternal Struggle of the Slavs with the German Oppressors), Moscow, 1943.

speech of May 9, 1945, gave this expression to his own pan-Slavism: "The centuries-old struggle of the Slav peoples for their existence and their independence has been concluded by victory over the German invaders and over German tyranny."

* A mighty factor in the rapprochement of the Soviet Union and the Anglo-Saxon world was the brotherhood in arms and the tremendous help given to Russia by the United States and Great Britain in armament, tanks, trucks, aeroplanes, medical supplies, food and clothing—in quantities unprecedented.

As good and as great as it was, the quality and quantity of the material aid supplied was not to be compared with the moral uplift afforded, mainly by the United States. Long years of searching of the past would be required to rightly estimate the effect which, in some respects intangible, this helpful cooperation had upon the stoic endurance of the Soviet armies. Such research would necessarily be sociopsychological. It would have to reckon not only with facts and figures, but much more with intangible psychological effects. A very important spiritual factor was manifest long before the Second World War. That was a special kind of magnetic quality that the United States had for the Russians.²⁶ On her long and thorny progress out of backwardness, Russia admired the receptiveness to change and the efficiency of America. It was America's efficiency that conquered the soul of Russia during her period of industrialization. If a good job was to be done quickly, it was always executed in "American" tempo. This psychological attitude was unaffected by the bourgeois or capitalistic character ascribed to America's institutions. America, in Soviet eyes, always drove at a good pace, and it was Russia's goal to overtake if not outstrip her.

It should not be forgotten that Stalin characterized the spirit and the style of Leninism as an amalgam of Russian revolutionary élan with American essentialism. Says Stalin:

²⁶ Pitirim A. Sorokin, *Russia and the United States* (New York, 1944), pp. 51-56.

Russian revolutionary drive is a counterpoise to inertia, routine, conservatism, backwardness, and slavish adherence to ancestral traditions. . . . Without revolutionary élan no movement forward is imaginable. But there is grave danger that the élan may degenerate into unrealistic revolutionary blue-printing if it is not combined with American efficiency in work.²⁷

In the Soviet Union, America has always had what commercial and financial circles call goodwill. Goodwill is the prestige that a firm has built up in the mind of the public for its products, and is an immaterial addition to its capital in real property, machinery, buildings, and so forth; sometimes it is much more important than the material property. Somewhat similar is the Russian goodwill toward America and the "Yankees," which many times surpasses the material help, including Lend-Lease, the United States has given to the Soviet Union in service and matériel. It was the United States which first received the right to establish aerodromes on Russian soil during the Second World War—because it was trusted more than any other Allied country. This goodwill and factual rapprochement must not be carelessly dissipated.

In a smaller degree what has been said of America holds true of Russia's other Allies in the Second World War. But in their case certain recollections remain to be overcome. As the memory of the open attacks on the Soviet state at the time it was establishing itself has faded, and even the tension between Great Britain and France on one side and the U.S.S.R. on the other in the late summer of 1939 and the first two years of the Second World War has become a remote issue—so must the leveling of old mistrusts go on.

The mutual respect and regard of the leading Allied nations and other armies and navies, growing out of their cooperation in the war, make it impossible for any government of the U.S.S.R. arbitrarily to shatter them by painting the United States and the other Allies in the old dogmatic colors of

²⁷ *Problemy leninisma* (Problems of Leninism), pp. 75, 76.

"bourgeois, robber imperialists." Historically, there is no way back for the Soviets to an abstract and wholesale indiscriminate hostility toward all western peoples, based solely on their refusal to adopt the Soviet system for themselves.

Long after the Second World War the participation in war against a common enemy, unflinching loyalty to common aims, mutual adaptations, and even the sharing of common hatreds, must retain basic significance as political factors. These have all been lived and experienced by plain Russian soldiers and sailors who came in contact with the soldiers and sailors of the great English-speaking countries not only as companions-in-arms on the battlefields but also as guests in their homes, industries, towns, and hamlets.

II

SOME CONSTITUTIONAL ASPECTS

The Freedoms

During the war some concessions of individual freedom were made by the Soviet government, among which freedom of religious worship is most important. Article 124 of the present Soviet Constitution mentions the freedom of antireligious propaganda, but, unlike the constitution of 1918, fails to mention the right of *religious* propaganda; however, the need to stimulate the sympathies of the population by mollifying religious elements has had very important results. The whole legal structure of the Orthodox Church has been restored and reinforced to a degree which exceeds anything recognized in the so-called St. Petersburg period of the Czarist Russian history—namely, since Peter the Great.

Under Peter the patriarchate of the Russian Orthodox Church was practically abolished after the death of the Patriarch Adrian (1700), and a new kind of secular administration of the church in the form of a Holy Synod was established. The Procurator of the Holy Synod was a high lay official, later invested with the rank of Minister of the Russian Church, and he participated in the government and the Council of Ministers.

The patriarchate was abolished because of the exclusive conservatism and the persistent hostility of the clergy to Peter's compulsory and reckless Europeanization of Russian life and thought; subsequent rulers were unwilling to set up again, alongside the temporal, absolute, autocratic czar, a spiritual power of great reverence, personified in a patriarch.

The old and amended 1906 czarist fundamental law went even further in avoiding any duality of power. Against tacit opposition by the church and in defiance of Orthodox canon law the Russian Emperor was proclaimed head of the all-Russian Orthodox Church and defender of the Orthodox faith and its dogmas.

At the same time there was no constitutional provision for organized participation of communicants of the church, which was thus represented only by the clergy.

All this was changed during the short democratic regime of the Provisional Government (February–October, 1917), under which a parochial organization of believers and clergy was legally recognized, a council of the church was convoked, and measures were taken to restore an elected patriarch. In the first weeks of the Bolshevist regime Tikhon was elected patriarch. But after a short time the patriarchate was abolished, only a *locum tenens* of the patriarch was recognized, and the parochial organization of the church was liquidated together with all other free political organizations.

Hence, the restoration of the patriarchate in 1943 is of tremendous significance. It was accompanied by the liquidation of the official militantly antireligious paper *Bezbozhnik* ("The Godless"), and, most significantly, with permission to publish the first clerical periodical in Soviet Russia, the *Journal of the Moscow Patriarchate*. Furthermore, a restoration of the High Theological Institute (or Academy) was authorized.

The grant of freedom of worship to the Orthodox Church, with full recognition of its thousand-year-old traditional structure, is a resounding victory for religious independence and self-determination. The restoration of the patriarchate, which had been suppressed through more than two hundred years by the czars, is in itself of a tremendous moral and political value. But, noteworthy as it is, this triumph in the field of the religious freedom remains an island in the whole legal system of the Soviet Bill of Rights.

The church represented by the Patriarch Sergius was most active and enthusiastic in support of the war, both at home and abroad. Thanks to this support, the church reaches strata which otherwise would remain untouched by or without influence on the Soviet system. To a certain degree the expansion of the influence of the church in the war was a vital need for the state and its army. Besides, the church was busy collecting money through the local churches for the support of war. It was renewed, and strengthened its relations abroad by exchange of visits with high Anglican clergymen, and also brought to a happy conclusion some old conflicts of the czarist times—for instance, the secession of the Georgian Orthodox Church, and the fight around its autocephalic (autonomous) rights.

Among the four freedoms of the Atlantic Charter, Soviet Russia may quite honestly claim that freedom from want is guaranteed by Articles 118, 119, and 120 of the Constitution which established the right to rest and leisure, to maintenance in old age and in case of sickness, and so on. While the social insurance payments by the Soviet government are not actually sufficient to support aged or disabled workers, or retired civil servants, freedom from want remains one of the leading ideas of the Soviet Constitution.

Freedom from fear, if by "fear" is meant fear of war and all the dangers and calamities connected with it, was a leading principle of Soviet foreign policy from the time the Soviet Union entered the League of Nations. Even the most radical antagonists of Soviet Russia must admit that it was one of the pillars of international peace and collective security in the years preceding the Second World War.

If, however, under fear we include fear in domestic affairs, where citizens are deeply divided on political or social matters or hold views far removed from those of the government—then the Soviet Union cannot be said to have yet provided freedom from fear.

Freedom of religion has been fully restored, first for the numerically dominating Orthodox Church, and more recently for other confessions, including the Roman Catholic and non-Christian religious communities.

Freedom of speech and the press remains to be achieved. Even these are officially recognized in the Soviet Constitution, Article 125 of which reads:

Subject to [official translation, "In conformity with"] the interests of the working people, and in order to strengthen the socialist system, the citizens of the U.S.S.R. are guaranteed by law:

- (a) freedom of speech;
- (b) freedom of the press;
- (c) freedom of assembly, including the holding of mass meetings;
- (d) freedom of street processions and demonstrations.

These civil rights are ensured by placing at the disposal of the working people and their organizations, printing presses, stocks of paper, public buildings, the streets, communications facilities, and other material requisites for the exercise of these rights.

Needless to say freedom is not to be found in "material requisites" but in the possibility of expressing opinions in speech or press contrary to those of the government. It is not the stocks of paper or the assembly halls which are decisive, but what is printed on the paper and what can be said in the Assembly.

The introductory words of Article 125, "In conformity with the interests of the working people," are meant to qualify the respective articles granting freedom. Should the undefined interests of the working people be regarded as being threatened by the realization of these freedoms, the freedoms must yield. Whether these interests are or are not threatened in a given case is determined by the government, and no judicial means of review exists.

Article 125 is to be interpreted in the light of Articles 126 and 141. These express the real political and sociological

reservations which limit the legal formulas contained in all the other articles and declarations guaranteeing freedom. Article 126 runs as follows:

In conformity with the interests of the working people, and in order to develop the organizational initiative and political activity of the masses of the people, citizens of the U.S.S.R. are ensured the right to unite in public organizations—trade unions, cooperative associations, youth organizations, sport and defense organizations, cultural, technical, and scientific societies; and the most active and politically most conscious citizens in the ranks of the working class and other sections of the working people unite in the Communist party of the Soviet Union [Bolsheviks], which is the vanguard of the working people in their struggle to strengthen and develop the socialist system and is the leading core of all organizations of the working people, both public and state.

Article 141 reads:

Candidates for election are nominated according to electoral areas.

The right to nominate candidates is secured to public organizations and societies of the working people: Communist party organizations, trade unions, cooperatives, youth organizations and cultural societies.

It is significant that, while in general the constitution of 1936 is construed much more along democratic lines than the two former in which the spirit of dictatorship prevails, the constitutions of 1918 and 1924 do not express so clearly the dominance of the Communist party in the forming and functioning of all organs of state as the two articles of the Constitution of 1936 just quoted.

These articles plus the fact that the real "leading core" of the Communist party is its Political Bureau show clearly enough that political freedom as it is understood in the West does not exist in Russia, despite Chapter X of the Constitution, "Fundamental Rights and Duties of Citizens." In the Soviet Union there is neither freedom of political opposition nor com-

petition of movements, parties, and ideologies at the elections.

Such a system would not be regarded in the West as one of political freedom, and the Western type of this cannot be achieved under it. Reinterpretation of the constitution in official practice would have to come first.

The relatively quick unfolding of the freedom of religious worship in the Soviet Union was possible only because the influence the church exerted over the Soviet state was relatively much weaker and less immediate than the public opinion expressed through a free press would have been. Secondly, religious freedom was considered as a powerful spiritual means of strengthening the military resistance of the population. But freedom of thought and press does not so evidently further the war effort which is the only consideration that counts in the midst of arms.

Democracy and Dictatorship

A certain line of development has marked the Soviet constitutions. As is shown in Chapter III, the Soviet state order has undergone a transition from centralism to feudalism which finds definite expression in the three constitutions of 1918, 1923, and 1936.

The civic freedoms, usually termed the bill of rights, did not develop except in some little ways such as the freedom of religious propaganda we have mentioned, which was recognized by the constitution of 1918 but omitted later.

The categories of (1) full-fledged citizens and (2) citizens deprived of suffrage because of their social adherence or extraction, or even because of their clerical vocation, disappeared in the constitution of 1936, which restores semblance of universal suffrage; but the vote has no real significance so long as Soviet citizens lack the opportunity to choose among competing candidates for office: elections without choice are not elections.

Another problem is concerned with the constitutional declarations. The constitution of 1918 included a "declaration of rights of the laboring and exploited people" which, according to its authors, emphasized the difference between the declarations of rights of the American and French "bourgeois" revolutions and that of the Soviet Russian Revolution. It contains purely social anticapitalist passages (Part One, Chapter II, Section 3), such as the following:

With the fundamental aim of abolishing all exploitation of men by men, of putting an end forever to the division of society into classes, of completely abolishing all exploiters, of bringing about the Socialist society, and to establish the victory of socialism in all countries, the Third All-Russian Congress of Soviets . . . further resolves . . .

But this specific international character of the Russian Soviet declaration of 1918, made in the first months of the social revolution, is not unique in the history of constitutions. Similar features may be found in the American Declaration of Independence and particularly in both French declarations of 1789 and 1793.

All these democratic declarations addressed themselves not only to their own countries but also to foreign states and peoples. In those times, too, the spread of revolutionary ideas to other countries helped to strengthen and perpetuate the new regime. This was true for Soviet Russia in July, 1918, prior to the close of the First World War, when she substituted for a world war a civil war in which her former allies appeared as actual foes.

However, significantly enough, five years later following a Genoa conference, increasing contact with the outer world, and the beginning of *de facto* or *de jure* recognition by the other powers of Russia's new social and political order (see Chapter VI, Survey of Soviet Foreign Policy) the constitution of 1923 formulated another declaration not less international and maybe even more challenging than that of 1918. In the

relatively peaceful atmosphere of 1923-1924 this new declaration, trying to divide the world into two fighting camps, and isolating Soviet Russia from the rest of the world, went beyond what the bourgeois Western powers must have deemed reasonable limits. This declaration laid down the following political concepts:

Since the time of the formation of the Soviet Republics, the States of the world have divided into two camps: the camp of Capitalism and the camp of Socialism.

There—in the camp of Capitalism—national enmity and inequality, colonial slavery and chauvinism, national oppression and pogroms, imperialist brutalities and wars.

Here—in the camp of Socialism—mutual confidence and peace, national freedom and equality.

The attempts of the capitalist world over a number of decades to settle the question of nationality by the combination of the free development of peoples with the system of the exploitation of man by man have proved fruitless. On the contrary, the skein of national contradictions is becoming more and more tangled, threatening the very existence of capitalism. The bourgeoisie has been found impotent to organize the collaboration of peoples.

Only in the camp of the Soviets, only under the conditions of the dictatorship of the proletariat, mustering around itself the majority of the population, has it proved possible to destroy at the roots national oppression, to establish an atmosphere of mutual confidence and lay the foundations of the brotherly collaboration of peoples.

On the other hand, the instability of the international situation and the danger of new attacks renders inevitable the creation of a united front of Soviet Republics in the face of capitalist surroundings.

Finally, the very construction of Soviet power, international by its class nature, impels the laboring masses of the Soviet Republics to the path of amalgamation in one socialist family.

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The will of the peoples of the Soviet Republics recently assembled as the Congress of their Soviets, and there unanimously accepting the decision to establish the Union of Socialist Soviet

Republics serves as a reliable guarantee that . . . the new united State is a worthy crown of the foundations laid in October, 1917 . . . that it serves as a trustworthy bulwark against world capitalism, and a new decisive step along the path of the union of the workers of all countries in a World Socialist Soviet Republic.

The constitution of 1936 did not repeat this declaration: the theory of two hostile camps could not be decreed officially by the Soviet constitution after the entry of the U.S.S.R. into the League of Nations. Advocacy of a collective security including states that belonged to both camps would have been, on the side of Soviet Russia, a too open Machiavellism. It was impossible to enter the League of Nations not only under the declaration of 1918 naming the establishment of "socialism in all countries" as the leading aim of the Soviet Union, but also under the declaration of 1923 describing the bourgeoisie (including apparently all the bourgeois states of the West) as "impotent to organize the collaboration of peoples." The whole foreign policy including membership in the League Council had to be brought into harmony with internal policy and constitutional law.

So long as Lenin was alive and the great October upheaval was fresh in the minds of the people, any attempt to renounce the universal anticapitalist character of the established regime would have been looked upon as a betrayal of international socialism. For this reason the declaration of 1923 must be regarded as the swansong of Soviet constitutional Marxism. It was only natural for Leninized Marxism to underline the international aims and universal character of the Russian Revolution and its transitional political regime, regardless of the results this might have in the field of Soviet foreign policy.

The constitution of 1936, however, is much less subversive than its predecessor of 1923-24. At the time it was adopted the fight between the Trotzkyites and Stalinists had ended, with the victory of the latter, who believed socialism could

be realized in one country in spite of its being surrounded by capitalist countries.

The exclusion of introductory declarations like those of 1918 or 1923 expresses a definite intention of the constitutional legislator not to link the internal Soviet regime with any revolutionary or subversive intentions toward world capitalism.

Thus a comparative interpretation of the three Soviet constitutions leads us to the conclusion that the U.S.S.R., being a socialist state of workers and peasants, construes its regime as a normal, sovereign, isolated state-order.

Nevertheless it can be argued that the exclusion of any preambular declaration to the constitution of 1936 may not mean that the last declaration has lost any significance.

In French constitutional doctrine, for instance, a similar question arose in the omission of declarations containing certain basic bills of rights from the constitution of 1875, which formed the basis of the Third Republic.

Despite the absence of any preamble and the purely technical character of this French constitution, many French constitutional lawyers asserted that the 1789 Declaration of the Rights of the Man and Citizen remained in effect and therefore any law or decree repugnant to it must be considered as unconstitutional.¹

Can we now insist upon the nullity of the declarations of 1918 and 1923? Can we say that there is a full similarity between the omitted French and Russian declarations? This is more than a legalistic question—particularly in Soviet Russia, where a constitution is a fundamental law in the sense that it is the basis for political education, a kind of temporal catechism belonging to the civic religion of the regime.

Let us not forget that, while the declarations of the two previous constitutions were omitted, the foundations of the Soviet regime remain the same. To be more exact, we have

¹ Léon Duguit, *Droit constitutionnel*, chap. IV, secs. 71 and 72; A. Esmein, *Éléments de droit constitutionnel*, pt. II, chap. 4.

to say that the bellicose elements of fight against capitalism and imperialism are to a considerable degree mitigated in the last constitution by transferring the fight to the past; but, short as the formula is, the regime is still a dictatorship of the proletariat. In this regard the most conspicuous part of the last constitution is Article 2:

The Soviets of Working People's Deputies, which grew and attained strength as a result of the overthrow of the landlords and capitalists and the achievement of the dictatorship of the proletariat, constitute the political foundation of the U.S.S.R.

On the other hand, in no place is the Soviet state-order called a democratic one, despite the fact that before and after the promulgation of the constitution the propaganda most vehemently insisted upon the democratic or most democratic character of the constitution of 1936. In Article 13, which defines the existing state-order, the state is called "a federal state, formed on the basis of the voluntary association of Soviet Socialist Republics having equal rights." The authors of the constitution apparently avoided a full-fledged acceptance of democracy. And this is more important than comparisons with other democracies which were criticized throughout this period of intensive indoctrination as only formal democracies deprived of any social and economic guarantees of mass welfare.

Thus we see that dictatorship is retained in the constitution while democracy is not introduced. So far, we may be right in saying that the constitution of 1936, while avoiding bellicose and subversive declarations, tried to save the old fundamental features behind all organizational and constitutional technicalities and detailed denomination of the competence and jurisdiction of the central, autonomous, and local organs of authority. And we cannot assert that the declarations of 1918 and 1923 are nullified, although modified by the third constitution.

There is another very important difference between the first and the last Soviet constitutions. Part II, Article 9, of the constitution of 1918 proclaims that the Soviet constitution is but a transitional instrument and applies only to the needs of the present period. One of the leading commentators of this constitution interprets this article as mirroring the most characteristic feature of the Soviet state, its transitory nature as the only bridge between the destroyed bourgeois society and the not yet established socialist society.² This thesis belongs to the period before the doctrine of withering away of the state was superseded. On the contrary, the relative value of the transitional state was then the dominating approach, the more so in that this was connected with the hope that the Western powers had "begun to totter."

The constitution of 1936, in clear contradiction to its predecessors, considers the Soviet state *as a permanently existing stabilized state*. This constitutional conception is in full harmony with the changed doctrine of law. (See Chapter IV.)

How Rigid Is the Constitution?

Among the features of the Soviet state-order there was not much place for that atmosphere which in real democracy surrounds a constitution as a kind of lofty legislation as compared with usual lawmaking.

In democracies a constitution is always considered as a document which shows the achievement by a given nation at a certain stage in the struggle of the citizens or subjects toward self-government and limitation of the powers of the state. This is why constitutions very often lay down their basic rules (norms) as negations of former restrictions.

In every written democratic constitution, therefore, the

² G. Gurvich, *The Fundamentals of the Soviet Constitution* (Russian—Moscow, 1922), p. 28.

polarity between the state and its citizens is clearly expressed. Almost every freedom is the result of a struggle against powers and privileges of rulers, and of certain grades of citizens eager to identify themselves with the state, as Louis XIV did in his historic dictum, "*L'Etat, c'est moi.*"

The Soviet constitution has no such antinomy between the state and the individual. It tries to protect the interests of the people through institutional socialism, political and social legislation. The constitutions of 1918 and 1923 guaranteed mainly the class interests of the workers and peasants, giving less recognition to individual rights. In most of the Russian textbooks on constitutional law can be found the assertion that the "man and citizen" is only a fictitious notion of bourgeois legal thinking; that individuals or citizens, as such, have no rights vis-à-vis the state.

The Soviet Union is also without another very important antinomy which in democratic countries has always led to greater and stronger democracy; viz., the distinction between *government* and *self-government*. The Soviet constitutions—all three of them—extirpate the very notion of self-government. From the Supreme Soviet of the U.S.S.R. down to the village soviets, all are "organs of State authority." There is no self-government, but merely organs of state authority. Throughout the later years of the Czarist regime, the urban and rural zemstvos established in 1864 had an influence in advancing education, welfare, and road construction, and political development, despite the autocratic character of the central administration.

Because of all these circumstances, the constitution of 1936, although exalted in the stages of preparation and framing, is not clothed with any specific legal sanctity; its provisions are subject to alteration. In spite of being written, it is by no means a rigid constitution. True, the rules of the constitution may be altered only by a complicated procedure, formulated in Article 146:

The Constitution of the U.S.S.R. may be amended only by the decision of the Supreme Soviet of the U.S.S.R. adopted by a majority of not less than two-thirds of the votes cast in each of its Chambers.

This limitation, however, is almost negligible in view of the one-party character of the Soviet chambers, which allows no serious diversity of opinion to develop. Nor is there any special machinery for constitutional amendment. By no other rule than Article 146 is the fundamental and formally rigid character of the constitution made more manifest.

Thus in cases of necessity a change of basic or fundamental rights of citizens is easily realizable, and even the very weak "check" in Article 146—the two-thirds vote in both chambers, the Soviet of Nationalities and the Soviet of the Union—is not always applied.

A case in point was the question of the fundamental right to gratuitous education laid down in Article 121 of the constitution, which provides:

Citizens of the U.S.S.R. have the right to education. This right is ensured by universal, compulsory elementary education; by education, including higher education, being free of charge; by the system of state stipends for the overwhelming majority of students in the universities and colleges; by instruction in schools being conducted in the native language, and by the organization in the factories, state farms, machine and tractor stations, and collective farms of free vocational, technical, and agronomic training for the working people.

Despite this very clear provision of the constitution, the Council of People's Commissars of the U.S.S.R. published on October 2, 1940, a decree³ by which gratuitous education was abolished for the three highest grades of high school and for universities and higher technical schools. Instead, tuition fees were introduced which, for the universities and for special art and music classes, were prohibitive to the children of

³ *Collection of Laws and Decrees* (Russian), No. 27, Oct. 26, 1940 (637).

average workers. Thus social privilege for the higher strata was created. In the preamble to its decree, the Council of People's Commissars explained the necessity of the measure by the following statement:

Taking into consideration the higher level of the welfare of the workers and the great expenses of the Soviet State for the building up and maintenance and equipment of the constantly growing net of high schools and institutions of higher learning, the Council of People's Commissars recognizes the necessity of imposing a part of the expense for education in high schools and universities of the U.S.S.R. on the workers themselves, and therefore resolves . . .

This act, promulgated by the highest executive and administrative organ of state authority of the Soviet Union, was openly repugnant to Article 121 of the Constitution, quoted above. The normal procedure for amending the Constitution (Article 146) was not followed in this instance. On the other hand there is no specific judicial organ to judge the constitutionality of the laws or decrees of the Council of the People's Commissars. True, according to Article 49 (Paragraph E) the Presidium of the Supreme Soviet of the U.S.S.R. has the right to annul decisions and orders of the council whenever they do not conform to law. Conformity to law may be also interpreted as conformity to the constitution, which in Russia is officially called Fundamental Law. However, no such annulment took place, and the unconstitutional decree of October 2, 1940, remained in effect. It was amended not by judicial or constitutional procedure, but simply by increasing the budget for education, almost four years later, when the Supreme Soviet during its tenth session, January-February, 1944, decided to do away with tuition fees in high schools and institutions of higher learning and to restore the policy of stipends for students.

Another transgression by administrative organs of basic principles of the constitution took place under Article 112,

which lays down the rule, "Judges are independent and subject only to law." (The same rule was introduced in the Law on the Structure of the Judiciary, of August 16, 1938.) Nevertheless, when in July, 1940, after willful absenteeism by workers from the plants was declared a crime and they were tied to their jobs under threat of imprisonment a series of measures were taken against court officials, who are not covered by Article 112. Later, judges were removed because of too liberal judgments in cases of willful absenteeism.⁴ These unconstitutional measures were later justified by the necessity of increased industrial production for the emergency of approaching war.

* * *

The Soviet constitution of 1936 did not create the basis for full democracy—with the one-party system, no elections, and the uncertainty of individual rights, the rule of law does not exist in the democratic sense. But, in spite of the lack of institutional and procedural machinery, the Soviet constitution expresses an idea of humanitarian equality which is fundamentally connected with collectivities and entire nations rather than the individual citizen. And, though the collectivist outlook of the constitution overshadows the citizen and his bill of rights this peculiar social equality helps to train him in personal integrity. Whatever more is needed in this field is—and has to be—done by education and culture. This education, adopted by the Soviet regime in overt contradiction of the original scheme of the Soviet "proletkult" (proletarian culture), is rooted in the old tradition of the various religions, of universal ethics, of classic literature, and has a much higher evaluation of conservative traditionalism than some Western circles have today.

In this relation it is always necessary to remember the pro-

⁴ *Sovietskaya Justitsia*, 1940. Cf. *Socialist Courier*, N.Y., May, 1941, Nos. 9-10 (Russian).

found difference between the Soviet Union and Nazi Germany, which from a purely legal viewpoint are often classified together as totalitarian. The difference is inherent in the approach and intention of each regime, going deeper than the juridical layer of constitutional issues. Germany, which planned to establish the new order for the next millennium, took no interest in fixing the limits of this order in a constitution.

The theoretical justification for refusal to set up a constitutional framework or give individuals or associations any protection against the state was found in the idea of the German Leader-State (*Deutscher Führerstaat*). In contradiction to the liberal state with its formal, "soulless" apparatus based on the rule of law, the German state must be led by the Führer and his will. These views are defended by men like Otto Köllreutter. In all works on constitutional law the idea is emphasized that the Germans as a *Volk* (ethnic group) ought to take the leading place, and that this *Volk* includes not only the citizenry of the German Reich but groups dispersed beyond the confines of the Reich in other countries. The political role of the German people is incomparably more important than its rights or the rights of the individual in the German state.

No wonder that one of the younger constitutional ideologists of Nazi Germany, E. R. Huber,⁵ comes to the following conclusions:

The new Constitution of the German Reich . . . is not a constitution in the formal sense such as was typical of the nineteenth century. The new Reich has no written constitutional declaration, but its constitution exists in the unwritten basic political order of the Reich. One recognizes it in the spiritual powers which fill our people, in the real authority in which our political life is grounded, and in the basic laws regarding the structure of the state which have been proclaimed so far. The

⁵ In his basic work *Verfassungsrecht des grossdeutschen Reiches*, pp. 54-55.

advantage of such an unwritten constitution over the formal constitution is that the basic principles do not become rigid but remain in a constant living movement. Not dead institutions but living principles determine the nature of the new constitutional order.

This "theory" was in all its variations unanimously and uniformly defended by Gerber, Herrnfahrdt, Köllreutter, Tarnheyden, Carl Schmitt, Höhn, E. R. Huber, and many others, some of whom under the Weimar regime defended diametrically opposed views. At the bottom it was only a narrow and enthusiastic adaptation to Nazidom and its later political and occupational activities in the Second World War.

We may criticize some tenets of the Soviet Constitution; but never has the doctrine of the Soviet Union reached the height of legal cynicism and political bigotry shown by Nazi German professors of constitutional law in the assertion that the best and most "living" constitutional order is one without a constitution.

III

FROM CENTRALISM TO FEDERALISM

One of the most striking phenomena of Russian political history is the transition from a centralized, unitary national order to a multinational, federalized commonwealth. Russia, unlike Switzerland, is a federation imposed from the center. But Russian federalization had roots in history from which sprang the organic unfolding of a federation based upon national plurality.

A short survey of Russia's political development is necessary in order to understand the change.

The Liberation Movement

The present movement toward national liberation began about 1904, shortly before the period of the first Russian revolution. Already each of the minority "nations" on the western frontier and in the Caucasus, had made first steps toward national self-determination in popular literature, school education, periodicals, and art and music.

The Czarist regime did everything to suppress the awakening of non-Russians under its rule. It bore down with special vigor upon the Ukrainians because of the similarity of their language to the Russian, because of their number and their proximity to the frontiers. Their literature was prohibited by the secret ukase of 1876.⁶ This suppression began in 1863, when publication of Morachevski's Ukrainian translation of the Gospels was prohibited. Under the secret ukase of May 30,

⁶ Max M. Laserson, *Nacionalnost' i gosudarstvenny stroiy* (The State and National Minorities), St. Petersburg, Kniga, 1918, p. 129.

1876, Ukrainian publications issued abroad, chiefly in Austria and in the United States, could not be imported. Printing or publishing original works or translations in the Ukrainian language except historical documents and works of fiction also was prohibited; in the historical documents the orthography of the original, and in fiction the Russian orthography had to be used.⁷ As to the Lithuanians, a Catholic minority, Lithuanian books in Latin alphabet were prohibited from the time of the Polish uprising of 1863. The other two Baltic nations, the Latvians and Estonians, were better off because the Russification was directed chiefly against the politically and socially dominant German minorities among them. The Ukrainians and Lithuanians, however, had their cultural centers, respectively in Austrian Galicia and East Prussia (particularly Tilsit).

The beginning of the twentieth century witnessed a sharp rise of the liberation movement in Russia. Simultaneously demands rose for a general democratization of Russia and a more liberal legislation in favor of the numerous non-Russian nationalities which since then have been called "national minorities." These were not minorities in the ethnographic borders of their respective countries or regions; there they were majorities.

The rising national aspirations of 1904 and 1905 extended through the convocation of the first Russian Parliament on April 27, 1906, and culminated in the Moscow Congresses of the *zemstvos*,⁸ in 1905. Although the majority in these congresses was moderately liberal, they demanded for the national minorities that the future constitution of Russia should grant rights of cultural self-determination to all nationalities. They demanded that, alongside Russian as the official language of

⁷ In 1904, the All-Russian Academy of Sciences protested against the suppression of the Ukrainian language, in a special memorandum to the Ministry of Interior entitled, "On the Necessity of an Abolishment of the Restrictions Against the Printed Ukrainian Language." See Laserson, *op. cit.*, p. 130.

⁸ See *Russian Local Government During the War and the Union of the Zemstvos*, by Tikhon S. Polner and others (New Haven, Yale University Press, 1930).

the central state institutions and administrative bodies and the army and navy, the native languages of the people should be introduced in the diets or other local organs. For some regions of the Empire the Congresses recognized the need of legally established local autonomies. Demands for immediate recognition of the autonomy of Poland, based upon democratic elections, guarantees of civil liberties, cultural self-determination of its nationalities, and the protection of the rights of minorities, were among the first acts of the Congresses.⁹

But the characteristic methods of suppressing all national minorities were so widespread and overwhelming throughout the vast Empire that they crystallized the opposition and resistance of the minorities. It was only natural that these minorities in establishing mutual contact became organized and unified and prepared to demand their rights the moment opportunity presented itself. The first demand, made in 1904-1905, was for the freedom of the press and assembly; especially did they clamor for the convocation of the All-Russian Parliament.

A special faction was established in the first Russian Parliament which constituted the bloc of Federalists and Autonomists. Representatives of many national minorities were attached to this bloc. This parliamentary bloc sprang from the so-called Union of Federalists and Autonomists who had been active before. To this union belonged Azerbaijanians, Armenians, Estonians, Georgians, Jews, Kirghiz, Letts, Lithuanians, Poles, Tartars, Ukrainians, and White Russians. The union held its most important congress immediately after the proclamation of the constitutional manifesto of October 17, 1905—that is, on November 19-21, at St. Petersburg.

After stating the need for the democratization of Russia, “which remains the common task of all peoples of Russia,”

⁹ G. A. Yevreïnoff, *Nacionalniye voprosi na inorodcheskikh okrainakh Rossii* (The National Problems of the Border Districts of Russia), St. Petersburg, 1908, p. 4.

and which includes guarantees of freedom and of free development of all its nationalities, the congress, by resolution, made the following recommendations:

1. The Congress recognizes the impracticability and inadmissibility of centralization of legislation and administration in an empire which is so vast, so diverse and complex in its economic, religious, and national relations, as is the country of Russia.

2. The Congress recognizes that all peoples of Russia are interested in decentralization of state power and in organization of the sovereignty of the people on the principle of a federated union.

3. As regards the interests of those nationalities who do not live in one geographically defined region, the Congress recommends that there should be established in each of such regions, through an all-Russian constitution, such rules as would guarantee to each and every minority and nationality the inviolability of its inalienable rights and interests. The Congress suggests that one of the measures in attaining this goal is the establishment of a system of proportional representation in the parliament as well as in the local diets.¹⁰

As can be seen from this program, radical as it is, the nationalities of Russia limited their legal and political demands to claims for a United Russia, of which the mentioned national minorities would be members. Not one of the national minorities, except the Polish, raised the question of secession from Russia. All aimed at attaining their rights of self-determination within a new and democratic Russia.

From this period on, the liberal and democratic movements of the dominant Russian nation adopted a program favoring the grant of full rights to national minorities. Only the rightist and especially the chauvinist factions opposed concessions to them.

It is therefore only natural that in the first Duma (Parliament), which was made up of a democratic majority of the Russian liberal and radical representatives of the towns and

¹⁰ Yevreinoff, *op. cit.*, pp. 6-7.

villages and of the minorities, there was a tendency toward full recognition of the demands of the numerous non-Russian peoples who were striving for local and cultural self-determination.

In the opening address of the Duma on May 5, 1906, as an answer to the speech from the throne, two principles were laid down as essentials which could no longer be postponed: the establishment of equality of all citizens before the law, with cancellation of all restrictions, privileges, and discriminations directed against certain nationalities or creeds, and

the solution of the question pertaining to the long overdue demands of individual nationalities. Since Russia represents a state inhabited by heterogenous races and nationalities, the spiritual union of these races and nationalities is possible only if the needs of every one of them to preserve their national character and to develop according to their traditions are fulfilled. The Duma will take measures to see to it that these needs are satisfied.¹¹

It is true that in the transitional period of 1904-1905 the Russian government took some modest steps or promised to do so, toward removing the severest restrictions then in effect against the minorities.

The ukase of December 12, 1904, entitled "An Outline for Improving the State Order," was one of the outstanding decrees issued by the Russian government under the spur of the new, more liberal legislation provoked mainly by the opposition which grew stronger with the loss of the Russo-Japanese War. The first article of this ukase refers to measures to be taken for the maintenance of order in the country. Article 3 aims at improving the judicial institutions in order to assure to all persons, regardless of status, full equality before the law. Article 7 undertakes, without mentioning the Jewish or other minorities, to revise all existing decrees which limit the rights of non-Russian, "allogeneous" peoples and natives living in

¹¹ T. T. Savich, *Novy Gosudarstvenny Stroi Rossii* (The New State Order in Russia), St. Petersburg, 1907, pp. 137-138.

various parts of the Empire. This was done with the view of eliminating some decrees and keeping those which answered dire needs of the state and were for the obvious benefit of the Russian people.

The ukase of May 1, 1905, calls for the abolition of some restrictions. The ukase of October 1, 1905, permits Poles and Lithuanians to conduct classes in private schools in their own languages.

The ukase of April 19, 1906, provides for the use of German, Lettish, and Estonian languages in private schools in the Baltic provinces. The same ukase favors measures beneficial to the "allogeneous" nationalities in the eastern provinces of Russia, and revision of the whole anti-Jewish legislation and administrative practice.

However, practically speaking, there was no real reform in this direction. Moreover, the liberal pronouncements and demands of congresses and conferences of crystallized public opinion created a growing opposition and embitterment among the reactionary and chauvinistic groups, and in this way progress toward liberation was thwarted.

In the Declaration of the Council of Ministers, issued on May 13, 1906 (which was the solemn answer of the government to the opening address of the Duma, of May 5), the national minorities problems were significantly ignored. Of all the answers made to the minorities' demands, the most startling was the one found in Article I of the first constitution of constitutional Russia, of April 23, 1906:

"The Russian State is one and indivisible."

This principle had never before been formulated, not even in the old fundamental laws of the absolute monarchy.¹²

Despite its similarity to or even identity with formulas in some other democratic constitutions, this formula was not an

¹² It would be a great error to connect this formula with the evolution of the democratic constitutions of France or of the United States of America, as was done by Baron B. Nolde: *Ocherki Russkogo Gosudarstvennogo Prava* (Essays on Russian Public Law), 1911, pp. 227 ff.

expression of the will of the peoples united in the Russian Empire at that time. On the contrary, it may be considered as a repudiation of, or expression of extreme hostility toward, any kind of federation and even local or regional customs and traditions. It springs from the doctrine of Russian nationalism and Slavophile writings of the middle and the last decades of the nineteenth century. Khomiakov considered it as an ideological credo against all demands advanced by the more developed and oppressed nations which had a political past.¹³ Such were the Poles, and to some extent the Finns, Ukrainians, Lithuanians, Georgians, Armenians, etc.

This formula implied that the nationalist wing of the dominant Russians opposed the idea of an empire made up of a series of states, self-governing provinces, and regions distinct from one another. Their ideal continued to be a uniform mass of peoples, governed by the dominant Russian nation:

The most outspoken and cynical pronouncement of this view is found in the Czar's Manifesto of June 3, 1907, dissolving the second Duma. The following theses were advanced therein:

The Duma which has been created for the strengthening of the Russian State must be Russian in spirit.

The other nationalities which make up the Empire may have representatives in the Duma, who are familiar with their needs, but not in such numbers as to be in a position to decide upon questions of a purely Russian nature.

Thus Imperial Russia, occupying one-sixth of the globe, with a population only 42 per cent Russian, was identified as the patrimonium of the ethnical Russians, and the Parliament

¹³ A. S. Khomiakov, *Sotchineniya* (Works), Vol. I, p. 27. Khomiakov, like other Slavophile Russian writers, defended the idea of a federation of all Slav states, including all western and southern Slavs, outside Russia, but was against a federal structure of Russia itself. See also Prof. P. E. Kovalevskii, *Natsionalizm i natsionalnoe vospitanie v Rossii* (Nationalism and National Education in Russia) (St. Petersburg, 1912), pp. 240, 241, 248.

of the Empire had to be a Russian Parliament. All other nationalities had the right to representation in the Parliament, but only in order to plead their specific needs and not to decide upon matters of a purely Russian national character. Accordingly, the number of representatives of minorities in the Duma was reduced by a special decree as follows:

The total number of members was reduced from the 524 of the first two Dumas to 442; the representation of Poland was fixed at 14, instead of 37; Caucasus was represented by 10 deputies, instead of 25; middle Asiatic Russia, comprising nine regions, was reduced from 21 deputies in the first two Dumas to none at all; the nomadic peoples—Kirghiz, Kal-mucks, and others—were excluded from franchise; Siberia was represented by 15 deputies instead of 23. The first Duma had 12 Jewish members; the second Duma, 4 members; the third, only 2, and the fourth, 3.

After 1907 this nationalistic trend strengthened. Chauvinistic factions were established in the Duma. This general trend continued after the outbreak of the First World War.

No serious steps were taken to meet the "national" aspirations of the minorities, save the manifesto of the Grand Duke Nicholas in favor of Poland. This manifesto, however, issued after the occupation of parts of Russian Poland by the German and Austrian armies, may be regarded as propaganda. This trend ceased when the Czarist regime was overthrown by the democratic revolution of March, 1917.

The first measure of this revolution bearing on the minorities question was the act of March 7, (20), 1917, which solemnly reaffirmed the old liberal constitution of Finland, which had been practically abolished by the czarist government acts of May 26 (June 8), 1908, and June 17 (30), 1910.¹⁴ On April 2, 1917, the Provisional democratic government pro-

¹⁴ *Vestnik Vremenmogo Pravitelstva* (Journal of the Provisional Government), No. 3/49, p. 23.

mulgated a decree finally repealing all restrictions and discriminations against Russian citizens of Jewish faith and other minorities.

On March 27, 1917, the provisional government issued a decree "Concerning the Reconstruction of the Autonomous Ancient Orthodox Georgian Church."¹⁵ Article 1 of this decree establishes a real personal autonomy of the Georgian religious minority both in Georgia and elsewhere in Russia. It reads as follows: "The Provisional Government recognizes the national Georgian character of the Autonomous Georgian Church."

About the same time the provisional government recognized the independence of Poland.¹⁶

On March 30 (April 12) a special decree was issued "on the provisional establishment of the administrative order and local self-government of Estonia."¹⁷ The ethnical autonomous character of this decree shows in Articles 1 and 2, which state that the border lines between the Estonian autonomous region and the Courland and Livonian (Latvian) regions are to depend on whether the Estonians or the Letts are the more numerous in the particular locality or border volost (parish). A similar decree of June 22, 1917, included the Lettish territory of Courland and southern Livonia,¹⁸ afterward taken into independent Latvia. Both decrees mention the right of the population to use its own language in its regional and local organs of government. Later, the provisional government went much further. On August 17, 1917, it recognized the administrative autonomy of the Ukraine and provided for the establishment of a General Secretariat for the Ukraine, on the one

¹⁵ *Sobranie zakoneni Vremennogo Pravitelstva* (Collection of Laws of the Provisional Government), No. 1180.

¹⁶ The Manifesto of the Provisional Government for the Poles, *Vestnik Vremennogo Pravitelstva*, No. 11/57. This manifesto was signed by Prince Lvov but bears no date. See also the juridical journal *Pravo*, Apr. 11, 1917.

¹⁷ *Sobranie zakoneni Vremennogo Pravitelstva*, No. 952.

¹⁸ *Sbornik ukazov i postanovleni Vremennogo Pravitelstva* (Collection of Decrees of the Provisional Government), p. 174.

hand to represent and protect the national (ethnic) interests of the Ukrainian population, and on the other to protect non-Ukrainian minorities in that region. The latter provision was intended for the benefit of the Ukrainian minorities, including Great Russians, Poles, and Jews.

Less than two weeks before the Bolshevik Revolution, the Ministry of Interior of the provisional government drafted a far-reaching minorities statute with a preamble stating:

The Provisional Government of the Russian Republic, recognizing the right of all nationalities to self-government, considers it necessary now, before the promulgation of a law on this subject by the All-Russian Constituent Assembly, and without predetermining the future form of regional and national organization, to publish the following law in order to secure to the nationalities of Russia the right to make use of their languages in relations with administrative agencies and before judicial bodies.

The statute provided that general Russian laws were to be published in all the languages of all the autonomous regions where these laws applied. It abolished "all restrictions of the use of the mother tongue established by the previous legal code." It required government agencies to accept petitions in the language of the locality and to reply in that language. It set up a detailed system whereby a minority in a given autonomous region might use its own language for virtually all official purposes.¹⁹ An All-Russian Congress of Nationalities was held in Kiev in September, 1917, at which Ukrainians, Lithuanians, Letts, Estonians, Georgians, Armenians, as well as a number of Moslem and other Eastern peoples were among the minority nationalities. This congress passed resolutions in favor of a federated Russia, of the grant of rights of self-determination and cultural autonomy to the constituent peoples.

One of the first decrees of the Soviet government, dated November 15, 1917, was a declaration of the rights of the

of the peoples of Russia" and their right "to free self-determination, including the right to secede and form an independent state." It also promised "free development for the national minorities and ethnographic groups inhabiting the territory of Russia." However, this declaration was centralistic and unitary. On January 24, 1918, the All-Russian Congress of Soviets passed a resolution for the remodeling of the Russian Soviet Republic as "a free union of free nations in the form of a federation of national Soviet republics." This resolution was later introduced into the first Soviet Constitution of July 10, 1918.

Federalism in Old Russia

Imperial Russia was always a centralized, unitary, national state. Its very genesis was connected with the disappearance of permanent strifes and provisional unions among the princes of the feudal principalities. Russian legal historians like Vladimirsky-Budanov and Sergeyevitch stress the fact that there was a tendency to a peculiar federalism or rather confederalism between various principalities. The famous Russian historian Kostomarov, himself a Ukrainian, asserts that ancient and medieval Russia in its struggle against the unifying sovereignty of the Muscovite autocratic rulers developed the tendency to a federal commonwealth. But even if some federalizing tendencies existed they lost significance after the sixteenth century, when the Moscow Czars triumphed and created a strong unitary Muscovite state on the ruins of the feudal principalities and some few free city-states—Novgorod and Pskov—in the north. Any remnants of federalism were extirpated, permanently.

Not until the early years of the nineteenth century were new, very weak attempts to reshape the centralizing and unlimited unitary tendencies of Russia made, with the rise of the liberation movement—interested to some extent in strength-

ening local self-government and in decentralization. The powerful centralizing force of Czarism was threatened by the growth of certain centrifugal forces, among which federalism was of great relevance. So much the more since Czarist Russia, after the rise of the Romanov dynasty in 1613, began to enlarge its territory by the annexation of vast districts, some of which consisted in part or in entirety of states which had lost their independence. For a long time a few of them retained home rule in political questions and a special status in the fields of civil law, organization of judiciary, administration, and education in local languages. This was true, for instance, of Finland, which retained its autonomy for a longer period and on a broader scale than the other regions; of the Baltic provinces, with their German speech and self-government by the German nobility; of so-called Congress Poland, the home rule of which was eventually abolished after the Rebellion of 1863; of Bessarabia; and, finally, of Georgia in the Caucasus.

The demand for a federal state order was first expressed in the liberal Decembrist ²⁰ movement, which was led chiefly by the higher officers of the Russian Army, many of whom had participated in the wars against Napoleon and had had the opportunity of becoming acquainted with western Europe. Many of them returned with the intention of crushing the traditional, autocratic regime of their own country. Their models were France and, in part, England. But there was also a tendency on the part of some Decembrists to transplant the new federalistic patterns of the United States. These trends existed even under the first liberal and progressive stage of the reign of Alexander I, long before the Decembrist uprising of 1825. Two designs of a new constitution appeared: that of Speranski, of a unitary character but with a definite division of powers; and that of Count Novosiltzev, of 1818, which

²⁰ Called Decembrist because it ended in December, 1825, with an armed uprising against Czarism.

was built along the lines of ethnical and local federation. This design envisaged a central legislature of two houses, and legislative bodies in each state. If Speranski's draft was of an average continental European type patterned after the French and the new Polish constitutions, Novosiltzev's project inclined toward the constitution of the United States.

Much nearer to the American model was the unofficial draft constitution of the Decembrist Count Nikita Muraviev, 1821-1822, which divided Russia into thirteen states, the number that originally constituted the United States of America in the latter part of the eighteenth century. These were: ²¹

STATE	CAPITAL
Bothnic (Finland)	Helsingfors (Helsinki)
Volkhov	St. Petersburg (Leningrad)
Baltic	Riga
Western	Vilna
Dnieper	Smolensk
Black Sea	Kiev
Caucasian	Tiflis
Kama	Kazan
Ukrainian	Kharkov
Valey	Saratov
Ob (Siberia)	Tobolsk
Lena (Eastern Siberia)	Irkutsk

The Moscow and Don districts were added on the same basis as the District of Columbia in the United States.

Most of these thirteen units were meant as federal states of peculiar national or ethnographic character, and only a few of them were constructed as simple regional territories—for instance, the Dnieper and the two Siberian states. The veracity

²¹ See V. E. Yakushkin, *Gosudarstvennaya vlast' i proyekt y gosudarstvennoy reformy v Rossii*, (The State Power and Projects of Constitutional Reform in Russia), St. Petersburg, 1906, pp. 104 ff. The appendix contains the federal project of Count N. Muraviev.

and vitality of this project was confirmed a hundred years later by the federalization of Soviet Russia. The prominent Decembrist leader, Ryleyev, later executed, was also an ardent admirer of the constitution of the United States. After the brutal suppression of the Decembrist Revolution, Emperor Nicholas I wrote the following cynical note on the margin of Muraviev's draft: "I congratulate the Tungusians on the views and the federalistic system of Muraviev!"²²

The federalistic tendencies and plans of the Decembrists were suppressed in the sanguinary extermination of the revolutionists. Even the later political emancipation movement, so far as it was led by the representatives of the dominating Great Russian intelligentsia, was inclined against federalism as a basic principle. Instead, the leaders of federalism became the intelligentsia of the national minorities of the Russian Empire. Among them the most important from about the middle of the nineteenth century were the Ukrainians, and later the Caucasians, mainly Georgians and Armenians.

The outstanding exponents of federalistic doctrine in Russia were the Ukrainians. In 1847 there was founded in Ukraine the Brotherhood of Cyril and Methodius, which preached federalism in Russia and simultaneously the idea of a universal confederation of Slavonic peoples. Its influence on Russian public opinion at the time was not great.

It was in the 1880's that the famous Ukrainian political writer M. P. Dragomanov²³ developed a full program of a federalization of Russia, and after his death, in 1895, the Ukrainian Revolutionary party, an underground movement, took over the leading idea of the federalization of Russia with a more or less veiled ideal of an independent Ukraine.

²² V. I. Semevsky, *Politicheskiya i obshchestvenniya idei dekabristov* (The Political and Social Ideas of the Decembrists), St. Petersburg, 1909. The Tungusians are a small Siberian Mongol tribe. This was the sardonic reaction to the two, the East and the West, Siberian states of Muraviev.

²³ *Politicheskiya sotchineniya*, Vol. I: *Centr i okrainy* (Political Works: The Center and the Border Provinces), Moscow, 1908, pp. 80 ff., 203 ff.

But Dragomanov and the moderate socialist Ukrainians were the only adherents of a federative Russia with Ukraine as a state constituent. The Ukrainian democrats and Social Democrats, however, were nonfederalists and did not advocate secession from Russia until 1917. Some small groups, under the influence of intrigue coming from the Austrian province of Galicia, may be ignored.

The appearance of local national movements in various border states of Russia necessarily influenced the progressive Russian intelligentsia. While the rightists, and even the Slavophiles, became more and more centralistic and antifederalistic, the Russian Populists gradually introduced new principles of national self-determination and ethnic federalism. In the 1870's the Populist *Vperiod* (Forward) demanded federalization of Russia. The strong underground movement Will of the People (*Narodnaya Volja*) introduced in its program a federalization of Russia. From these, the so-called Socialist Revolutionary faction, the non-Marxian socialists, inherited this same principle. Marxist Social Democrats of Russia remained convinced centralists up to and after the October Revolution.

In the meantime the democratic bourgeois parties began gradually to deviate from orthodox centralism. This was partly caused by the tremendous size of Russia. With the spread of civilization and literacy, the narrow-minded and easy-going bureaucratic centralism of the Czarist regime began to manifest increasingly its hampering and dragging qualities. With the thin net of railroads and highways, the vast regions of the East and the South failed to receive satisfactory service from the center. An elementary regionalism began to appear—in Siberia and the Cossack provinces, for instance—a regionalism which was wholly pro-Russian and not separatist. The Siberian regionalism was led by racial Russians whose demands for federalism grew out of their local needs, out of desire for efficiency and improvement in welfare and plain civilization.

On the other hand the demands of the many non-Russian

peoples found sympathetic attention among the leading Russian intelligentsia. The group of Autonomists and Federalists in the first Duma gained sympathy in purely Russian circles. The third and the fourth Duma became the arena of the fight of the national minorities against the Czarist centralism. Not only Russian Socialists, but Constitutional Democrats (Cadets) and moderate Liberals as well, interpellated against the persecutions of the Ukrainian and other national movements.

Until the outbreak of the First World War the government had the support of the nationalist center and the reactionary rightists, who developed an unprecedented jingoism. As in most other questions, the old regime did not show any willingness to compromise with the prevalent public opinion. While its once powerful expansionism dwindled to a shadow, it tried to retain the vanished splendors of its past even under the impact of the war. The only exception was the proclamation of the autonomy of Poland after the Germans had occupied it.

If any important movement for federalism, other than the revolutionary one, existed in Russia prior to 1917, it was the pan-Slavonic federalism designed for use outside Russia. In connection with the latest efforts of a new sovietized Slavophile movement, this kind of federalism deserves special attention.

The idea of an all-Slavonic political unity originated in Russia as early as the seventeenth century. Its first protagonist was Yurii Krizhanitch, a sort of émigré from the regions recently united to form modern Yugoslavia, who insisted on help from Russia for the fight of the southern Slav peoples against Turkey.²⁴ But the old Muscovite state was unable to unite and lead the Slavs. Only after the establishment of a modernized and Europeanized state were the Russian government and people ready to undertake the task. One of the pillars of the cause was the underground Society of the United

²⁴ A. Yastchenko, *Teoriya federalizma* (The Theory of Federalism), Yurjeff—Tartu, 1912), pp. 780 ff.

Slavs, founded by the Decembrists. G. Gorbatchefski defined its aims as follows: "The society strives to liberate all Slavic peoples from autocracy, to eliminate all internal tensions and hostilities based on national feelings and jealousies among them, and to unite all countries inhabited by them into one great Federal Union."

Thus the Decembrists were the only Russian political group which advocated simultaneously a federalism for Russia and an international all-Slavonic Federal Union. The moderates among them believed in a centralist and frequently even a semi-autocratic Russia, but in federalism for external propaganda and foreign policy.

The most concrete project was that of N. Danilevsky,²⁵ which, embracing a federation of Russia with other eastern central parts of Europe and the Balkans, seemed fantastic seventy years ago, but is almost a prototype of the political planning of the Soviet Union during the Second World War and after victory. In Danilevsky's plan the Slavonic federation was to include: (1) a Russian Empire expanded by annexation of Galicia and the Hungarian Ukraine (Carpatho-Ruthenia and Bukovina); (2) a Kingdom of the Serbs, Croats, and Slovenes, with Montenegro and the Trieste District; (3) a Kingdom of the Czechs and Slovaks; (4) Bulgaria, with Macedonia and some parts of Rumania; (5) Greece, and (6) the province of Constantinople.

Russian federalism for decades was nothing more than a political ideal, advocated principally by the minorities nations, forming only a minor feature in the political program of the anti-Marxian Socialist Revolutionaries and some radical democratic groups. The Russian Social Democratic party was centralist from the conviction that economic development of huge Russia could be successful only under a unitary consti-

²⁵ N. Danilevsky, *Rossiya i Evropa* (Russia and Europe), 4th ed. (St. Petersburg, 1879). Poland is not included because of the specific hostility of the rightist Russian Slavophiles to "rebellious" Poland.

tution directed against regional and local peculiarities and provincialisms. This antifederalist conception was shared by its right wing (the Mensheviks, or moderate Social Democrats) and its left wing (the Bolsheviks). Together with some bourgeois liberals they thought that "capitalism speaks and will continue to speak Russian," and not any other language of the immense Empire. This economically based antifederalism was defended by both wings of Social Democracy even after the fall of Czarism. Thus the resolution on the national problem adopted by the seventh conference of the Social-Democratic party, in April, 1917, under the Kerenski regime, asked regional autonomies, but by no means a federalization of new Russia.

Only when rupture of communications, internal disorder, and friction between different parts of the country became an almost insurmountable calamity did the revision of old centralist dogmas begin. Federalism made great headway in the country, even under the Democratic provisional government. Entirely independent of general political orientation, regional and national federalism struck new roots. Newspapers of diverse views, and pamphlets of all kinds, favored a federalization of Russia.

The victorious Bolsheviks abandoned their old orthodox centralism only in the spring of 1918. Their famous first declaration to the peoples of Russia, in December, 1917, had no leaning toward federalism; and in the Russian federation, established by the first Soviet constitution of 1918, antifederalist and antiminority tendencies were present at first, in such high degree that a resolution adopted in April, 1923, by the twelfth congress of the Communist party, on "National Fac-

²⁶ The adjective "national" in Central and Eastern Europe is mostly used to denote a particular nationality or ethnic entity, whether territorial or non-territorial. In this central European sense, "national literature," for instance, does not mean the literature of a given state or country, but the literature of a certain nationality or racial group. The same holds for "national factors," "national areas, districts," etc.

tors²⁶ in the Upbuilding of the Party and the State," asked that the old vestiges of traditional heritage should be finally removed. In paragraph 8, we read:

As one of the most striking expressions of the inherited prejudices stands the fact that the Soviet Union remains to be viewed by a large number of federal and local officials, not as a union of equal state units created to secure a free development of all national federated republics, but only as a political measure to liquidate those republics in order to reconstitute the one and indivisible Russia.²⁷

The reader will remember that this was the leading anti-federal principle of the first Czarist constitution of April 23, 1906. Besides, it was later made the basic slogan of the "white" anti-Bolshevik governments during the Civil War, 1918-1921.

No doubt even now vestiges of old Russian centralization remain. The participation of the Soviet Union in the Second World War, the tremendous part which the leading Russian stock took in it will undoubtedly strengthen pride in Russia's old glory. The rehabilitation of national Russian history is part and parcel of the same intensified Russian coloration of the Soviet Federation.

The restoration of the Orthodox Church and its traditional

²⁷ J. Stalin, *Marksizm i nacionalno-kolonialny vopros*, Moscow, 1938, p. 214. In the English translation issued in New York, 1940, by the International Publishers (*Marxism and the National and Colonial Questions*) the corresponding paragraph of the resolution is formulated in more detail and somewhat differently, as follows:

"It is necessary to surmount obstacles which have been left to us as a heritage from the period of national oppression, obstacles that cannot be surmounted at a single bound and upon short notice. This heritage consists, in the first place, of the survivals of Great Power chauvinism which is a reflection of the former privileged position of the Great Russians. This survival still persists in the minds of our Soviet officials, both central and local; they breed in our state institutions, central and local; they are receiving reinforcements in the shape of the 'new' Smenovekh Great Russian chauvinist spirit which the New Economic Policy tends to accentuate. In practice they find expression in an arrogant, negligent and soulless bureaucratic attitude on the part of Russian Soviet officials towards the needs and requirements of the national republics."

institutions, including reenthronement of the Patriarch, is another important factor for Russian integration.

It is the federal state order which adapts the Soviet Union so well to old traditional democracy. How far the framework of the constitution legally corresponds with the rights of the constituent federal states or units, is of secondary importance. The "multinational" character of the Soviet Union remains its most relevant feature. It manifests the peculiar way in which this commonwealth solved the old federal principle *E pluribus unum* (One out of many), the generous way in which every national entity found recognition, as a Soviet Republic (sixteen units) or an Autonomous Republic (nineteen), or an Autonomous Region (nine), or, lastly, a National District (twelve). All are represented in the upper house of the Council of Nationalities. This council is constructed on the basis of twenty-five deputies from each Union Republic, eleven deputies from each Autonomous Republic, five deputies from each Autonomous Region, and one deputy from each National District (Article 35). Soviet federalism is therefore not merely a method of administering a tremendous empire, it is a framework for satisfying the "national" peculiarities and aspirations of its several parts.

Soviet federalism works not only through certain prescribed rules and decrees and the assignment of competences and jurisdictions, but much more through the willingness to make the formerly suppressed nations and ethnic groups real partners in the growth of the common state, culturally, spiritually, artistically, economically, and industrially. Therefore parts of the Soviet Union which were traditionally backward or were deprived of modern industry and transportation were turned into prosperous regions of industry, artisanship, and agriculture. Federation is here to be interpreted as rising to higher standards. This process, by which natives are turned into nations, and "inferior" peoples are equalized with the leading or dominating nation, is basically democratic and renders a

highly humanitarian service not yet rendered by any other democratic state.

The federal structure of the constitution will necessarily remain the most essential element in the whole framework of the Soviet Union. It is this side of the Soviet constitution which associates the Soviet regime with the United States on the one hand, and with Switzerland on the other. From the United States it has taken the form of a federation, and from Switzerland the humanitarian division into states (cantons) individual cultural and and ethnic quality.

In the future development of the Soviet Union democratization finds ready and well prepared federal channels through which not only federal state power is able to work, but a manifold implementation of the bill of rights of the individual and collective rights of the constituent parts can be secured.

In the field of federalization the Soviet Union has doubtless realized the aspirations of the old Russian democratic federalists.

The Soviet Federation

While in structure and functions the Soviet federation has something in common with other federations, it also has features peculiar to itself. A federation, like other political forms, may be imposed from above, or it may unfold organically from within. The best instance of the first kind is the Soviet Union; an example of the second is Switzerland.²⁸

The imposed federation is not necessarily less enduring than the federation which has developed slowly. It is precisely the federative form which makes a state, and especially one of such vast territorial expanse as the Soviet Union, more flexible and better adapted to changes than the unitary state. But with the Soviets the establishment of the federation "from above"

²⁸ Max M. Laserson, "On Universal and Regional Federalism," *Journal of Legal and Political Sociology*, Vol. II (1943), no. 1-2, p. 84.

was much more than a question of constitutional reform. The actual federalization began to develop after the official proclamation, in the constitution of 1923, of a federative Soviet Union. This constitution was preceded by a special agreement concluded on December 30, 1922, at the Congress of the Soviets. The second part of this constitution establishes its character as a covenant. It declares:

The Russian Socialist Federated Soviet Republic (RSFSR), the Ukrainian Socialist Soviet Republic, the Bielo-Russian, or White Russian, Socialist Soviet Republic, the Transcaucasian Socialist Federated Republic, the Socialist Soviet Republic of Azerbaijan, the Socialist Soviet Republic of Georgia, and the Socialist Soviet Republic of Armenia unite together into one federated State, the Union of Socialist Soviet Republics, the U.S.S.R.

By this covenant the Soviet Union became a commonwealth of nations which had previously decided to join in one union. The decision to federate was made separately by the highest organ, the Congress of Soviets, of each of the respective republics: Transcaucasian Republics and Ukraine, December 13, 1922; White Russia, December 11; Russia proper, December 28. The first part of this constitution contains a special "Declaration on the Establishment of a Union of Soviet Socialist Republics" which defines this union as "a voluntary association of equal peoples." This principle is reiterated in the constitution of 1936:

Article 13. The Union of Soviet Socialist Republics is a federal state formed on the basis of the voluntary association of Soviet Socialist Republics having equal rights.²⁹

The introduction of a kind of upper house, the Soviet of

²⁹ There follows a list of sixteen Union Republics, as follows: (1) The Russian Soviet Federated Socialist Republic; (2) the Ukrainian; (3) the White Russian; (4) the Azerbaidjan; (5) the Georgian; (6) the Armenian; (7) the Turkmen; (8) the Uzbek; (9) the Tadjik; (10) the Kazakh; (11) the Kirghiz; (12) the Karelo-Finnish; (13) the Moldavian; (14) the Lithuanian; (15) the Latvian; and (16) the Estonian Soviet Socialist Republic.

Nationalities, which represents the peculiarity of the federated republics and regions, was not so unusual. Parallel to the upper house, as in all traditional federations, a lower house, the Soviet of the Union, was established to represent the entire population.

It was a long fight for the development of the wide periphery extending to the last frontiers, beginning with the rise of literacy of backward lands, as in the Asiatic parts, the introduction or improvement of the administrative and judicial systems, sometimes even an invention of new alphabets and written languages, sometimes the improvement of irrigation systems, destroyed or partly spoiled by civil war, and later an industrialization of primitive and vast agrarian areas.³⁰

Otherwise, legally and politically, the Soviet federalism was inclined to proceed along stereotyped lines for the whole Union. The political idea of federalization was made a part of the social program to win the peasants and urban population, who in an overwhelming majority did not belong to the proletariat. Federalization, and fostering of local cultures and languages long suppressed by the Czarist regime, were the best means of stabilizing the country.

This amply explains why local peculiarities were recognized only in the initial stages of the Soviet regime, and only a very small place was allowed for diversities under the legislation of the federative units. Some Soviet Republics, like the Ukraine, appeared as cosigners of international treaties only

³⁰ V. Durdenevski, *Ravnopraviye yazykov v S.S.S.R.* (The Equality of Languages Under the Soviet Regime), Moscow, 1927, p. 69. The production of heavy industry increased between 1913 and 1940 in the following proportions:

Whole country	10.9
Kazakh Union Republic	22.2
Armenian Soviet Republic	22.3
Georgian Soviet Republic	26.4
Kirghiz Soviet Republic	160.
Tadjik Soviet Republic	242.

Cf. *Bolshevik* (Moscow), Apr. 1944, p. 27.

because of this initial diversity of local circumstances and conditions.³¹ Later, all resemblance to full statehood of the Soviet Republics disappeared. No mention was allowed of the eleven, now sixteen, constituent Soviet Republics, no cosigning of treaties, no trace of separate diplomatic representation. All such aspirations were declared dangerous, as being separatist, or even as expressing local imperialism or chauvinism. The jurisdiction of the Soviet Union government—under Article 14 of the 1936 constitution—included all international relations, foreign trade, organization of defense of the Union, and direction of all the armed forces.

The basic thesis of the Soviet federation, according to Stalin's formula, should be "national (culturo-ethnic) in form and socialist in content." For all other purposes the "voluntary association" of the Union finds expression in the right "freely to secede" granted in Article 17 to every Union Republic.

One of the most powerful bonds between the Union Republics was the common history of the November Revolution. Only the Second World War and its peculiar circumstances could upset the equilibrium of legally equal Soviet Republics. The first hint of coming events was the absorption of the three Baltic States into the Union in July, 1940, roughly a year before the German declaration of war against Russia. These three states which during two decades lived in direct diplomatic and international contact with the bourgeois Western powers, and had had a higher standard of life and education than the interior of Russia for more than a hundred years, suddenly became member states of the Soviet Union. However, during the brief period of one year before the Germans invaded the western parts of the Soviet Union, there was not time to carry through the new reform of federalization. Moreover, the other western portions of European Russia were

³¹ The Soviet Ukraine signed the Peace Treaty of Riga of Mar. 18, 1921, together with Poland and Russia, and signed two treaties with Latvia and Estonia, Aug. 3 and Nov. 25, 1921, concerning future relations.

occupied by Nazi Germany, particularly the Ukraine with her complex national history. Despite all cruelties and ravages of the occupational authorities, Nazi Germany, copying imperial Germany of 1917-1918, tried very hard to win the sympathies of at least some strata of the former anti-Czarist, and therefore anti-Russian, borderlands. Revenge for the Communist confiscation of private farms, and mass collectivization of the well-to-do peasants, as well as nationalist instigation against Moscow's Russification were combined in order to widen the breach between Great Russia and the "former" borderlands. It is not clear what exactly were the results of such propaganda and tactics; some Nazi collaborators were found among the local population, but in the Baltic States, the seven-century-old hatred of the Letts and Estonians for all kinds of German domination was not dispelled but rather heightened by the cruel German military occupation of 1941-1944.

By the end of 1943 and the beginning of 1944, it became clear that the Soviet Union would oust Nazi Germany's armies from the old Soviet territory. In the early summer of 1944, the reoccupation extended over at least seven western Soviet republics, including the Ukraine and White Russia, the vastest, richest, and most populated areas.

On January 28, 1944, in the midst of these developments, the Supreme Soviet, convened in the Kremlin, proposed extending to each federal state of the U.S.S.R. the right to pursue its own foreign policy. The Union would retain jurisdiction over diplomatic representation and the conclusion and ratification of treaties with foreign states. This provision of Article 14, paragraph A, that the jurisdiction of the U.S.S.R. covers representing the Union in international relations, concluding and ratifying treaties with "foreign states," remains unchanged, but is supplemented by a new paragraph adding to the jurisdiction of the Soviet Union "the establishment of the general character of the relations of the Union Republic

with foreign states." The control and survey of the Soviet Union over all foreign relations of the respective republics is not only unchanged but expressly emphasized.

This amendment will be clarified by a comparison of the old text with the text of the amendment:

OLD TEXT

The jurisdiction of the Union of Soviet Socialist Republics, as represented by its highest organs of state authority and organs of government, covers:

A) Representation of the Union in international relations, conclusion and ratification of treaties with other states.

AMENDED TEXT

[The same wording.]

A) Representation of the Union in international relations, conclusion and ratification of treaties with other states and the establishment of the general character of the relations between the Union Republic and foreign states.

From this comparison it will be seen that, diplomatic autonomy notwithstanding, the Soviet Union government follows closely the foreign relations of the different Union republics and supervises the development of their relations with foreign states. The decree specifies with the greatest clarity that "each Union Republic has the right to enter *into direct relations* with foreign states, to conclude agreements with them, and exchange diplomatic and consular representatives with them."³² But under Article 14, paragraph A, which remains unchanged, the Soviet Union retains in its centralized hands the *conclusion and ratification of treaties* with foreign States. Therefore it is clear that any treaty or agreement concluded by a Union republic must be ratified in Moscow before it can be put into force.

The institutional changes are but a logical consequence of this reform: namely, every Union Republic gets its own

³² Art. 18, par. A. Italics mine.

Ministry, or Commissariat, of Foreign Affairs (amended Article 83 of the Soviet Constitution). Moreover, an addition to Article 18 and an alteration of Articles 77 and 78 was made necessary; to wit, the People's Commissariat of Foreign Affairs was converted from the status of an All-Union Commissariat of Foreign Affairs into a Union-Republican People's Commissariat.

To understand the reforms of February, 1944, we must realize that the Soviet constitution presents three categories of people's commissariats, or ministries:

(1) The *people's commissariats* of an all-Union character called All-Union People's Commissariats. The different Union republics have no corresponding commissariats. Until the amendment of February, 1944, the Commissariats of Defense and Foreign Affairs were all-Union, as the Commissariats for Foreign Trade, for Railways, Coal Industry, etc., are to this day. These All-Union Commissariats direct their branches of state administration throughout the territory of the U.S.S.R.³³

(2) The central *Union-Republican people's commissariats* direct the branches of state administration entrusted to them through the corresponding people's commissariats of the various Union republics. If therefore Foreign Affairs, and Defense, are removed from the All-Union to the Union-Republican people's commissariat—from the first to the second category—this, from the local standpoint of, say, the Ukraine, means that its foreign affairs will be subject to two authorities: (a) the corresponding central All-Union People's Commissariat of Foreign Affairs, and (b) the Council of People's Commissars of Ukraine. This is the dual subordination of the two newly created ministries of Foreign Affairs and of Defense.

(3) The third category is the local republican people's commissariats. Such are the commissariats for Education, for Agriculture, Justice, Public Health, and other matters which

³³ Arts. 74 and 75 of the constitution.

have a specifically local character.³⁴ The Commissariats of Foreign Affairs and Military Defense have been added since February, 1944.

Thus the burden of this reform is the setting up of direct relations between the constituent Union republics and foreign states. And in this connection it is important to note that a constitutional and international renaissance of all the constituent parts is manifestly stressed. Henceforth, the annexation of a Latvia or an Estonia will not mean complete swallowing up by the Soviet Union and a disappearance of the smaller state from the international scene. This reduces considerably the odiousness of a one-sided absorption, and modifies the annexation to a "social sovietization." Such an interpretation, which is at least possible, reduces the purely political objection to a simple territorial enlargement or annexation.

To the control which remains in the hands of the central Union government, no serious objection can be made. For that government to reduce its own jurisdiction over foreign relations would be tantamount to dissolving the federal Soviet Union. The central organs of a federative commonwealth or state must retain jurisdiction and control over the whole of the foreign relations; otherwise that state loses its unified character and breaks up into *membra disjecta* which may or may not be in loose alliance with one another.

The changes just discussed are not absolutely new and overwhelming.

The case of the United States, or even of Switzerland, may suggest that foreign relations belong to the central government of every federation. This seems obvious for those who know the streets through which the United States passed from 1861 to 1865 in the war between the northern and the southern

³⁴ Art. 83. Simultaneously with the republican people's commissars, representatives of the respective All-Union people's commissariats take part in the sessions of the Republican Councils of People's Commissars.

states, and Switzerland, from 1844 to 1847, in its fight against the antifederal Sonderbund.

But there are other precedents. The closest to the present is Imperial Germany between 1871 and 1917, and in a lesser degree, democratic Weimar Germany of 1919-1933. The twenty-three monarchies and three city republics of Imperial Germany not only were permitted to exchange diplomats with foreign states but also, to a considerable degree, did so alongside the Imperial diplomatic representation. In many countries, alongside the embassies or legations of the German Empire, special legations represented the specific international interests of the several federal German states. The only German federal state which could not be individually represented was Prussia because of its dual character as the leading German state and as a specific federal unit, and the coincidence of the German Kaiser and the Prussian King being one and the same person.³⁵ Frequent use of these rights was made by Bavaria, and the German kingdoms of Württemberg and Saxony which had their own legations in the leading capitals.

The democratic Weimar constitution of 1919 abolished the free exchange of diplomatic representation of the state-members of the Reich³⁶ but preserved the right of these states to conclude treaties with foreign states. Here, too, the Reich withheld its general control over foreign relations and required the consent of the Reich to the treaties and agreements of the particular state-members.

The transformation of the federal structure of the Soviet Union introduced by the first decree brings more flexibility, without tolerating any discrepancy or even competition in foreign policies between the Union government and that of any of the republics.

The second decree, on armed forces, affects the federal

³⁵ Otto Esch, *Das Gesandtschaftsrecht der deutschen Einzelstaaten* (Bonn, 1911).

³⁶ The continued existence of a French minister plenipotentiary in Munich, Bavaria, remained the only exception in Republican Germany.

framework of the Soviet Union less vitally. It makes no basic change in the organization of the All-Union Soviet army, nor in the jurisdiction of the Union over questions of war and peace and the organization of the defense of the Union and the direction of all the armed forces of the U.S.S.R. It adds only the principle (in the new Article 18 B) that "each Union Republic has its republican military formation." and that this formation is subject to the general jurisdiction of the Union. Therefore, it is chiefly a method of dealing by regions with the united armed forces.

Since the Soviets came to power in Russia there has been only one relatively short period at the beginning, when the Red Army showed jealousy of regional units—especially those which were deeply rooted in the military history of Czarist Russia. The most important among these were the Cossacks (cavalry, infantry, and artillery) of the Don, Kuban, and some other regions. Under the czars and in the Civil War they were on the reactionary side. The Cossacks were nevertheless restored to their former military prominence shortly before the Second World War.

Purely national formations of the Russian Army also go back to Czarist Russia. The highest toleration shown by the regime was in the fostering and support of national (ethnic) and regional units and formations. Besides several Cossack formations, there were Caucasian mountaineers and group formations. In the First World War, in the spring of 1915, the Imperial Russian government authorized the establishment of special "Latvian battalions" which fought mainly in the regions belonging to or bordering on Latvia although they were subordinated to the general military authorities.

The exact meaning of "military formations of the Union Republics" is not clearly worked out in the list of the second decree. For such a great Union republic as, for instance, Ukraine, it will be an army of conscripted Soviet Ukrainian citizens. At the same time it will be an army containing a majority of ethnic Ukrainians. The geographic and the ethnic

extraction coincide much more closely in military formations of smaller units like the three Baltic republics, the Georgian, etc. A short supplement to Article 60 (point F) of the constitution regulates the jurisdiction of the Supreme Soviet of a Union Republic as follows: "establishes the method of the creation of military formations of the Union Republic."

It is obvious that all institutional changes introduced in the field of foreign relations were made also in the field of military defense. The People's Commissariat of Defense has been converted from an all-Union to a Union-Republican commissariat and each Union republic has received the right to appoint its own Commissar of Defense. Besides new additions to Article 18, various amendments of Articles 60, 77, 78, and 83 of the Soviet constitution were adopted by the Supreme Soviet simultaneously with the amendments concerning foreign affairs.

These significant changes in Russia's federal structure were made only in part for the sake of a more flexible federalization and a greater measure of self-government by the sixteen member-states of the U.S.S.R. Let us make no mistake about the relative values of the reforms, which certainly have a financial basis in the fact that the Soviet Union differs markedly in questions of budget matters from the American and Swiss federations. In America and Switzerland every state or canton is independent of the federal government in budget, revenue, and financial system; but in the U.S.S.R. the jurisdiction of the highest organs of government extends over the financial system and the budget of each of the sixteen Union republics as well as those of the federal Union. Article 14, paragraph K, of the constitution covers this field as follows: "approval of the single state budget of the U.S.S.R. as well as of the taxes and revenues which go to the all-Union, Republican and local budgets." Therefore every ruble for the financing of the new foreign representation or military defense has to be approved by the central Soviet legislative bodies.

By turning Foreign Affairs (and Defense) from an All-Union to a Union-Republican commissariat, the last decrees of February, 1944, do not construe these affairs merely as subject matter of the respective state (Union republic) as such. The Union-Republican people's commissariats, as a rule, handle the matters entrusted to them—including foreign affairs and defense—through the corresponding people's commissariats of the Union republics (cf. Article 76 of the constitution). It must not be inferred, therefore, from these amendments that diplomatic and/or military affairs have been administered, since February, 1944, by sixteen commissariats of the respective sixteen Union republics. Both are decentralized but form a fundamental part of the jurisdiction of the central government of the U.S.S.R.

In the light of all these circumstances let us look into the political considerations and basic purposes that moved the government of the Soviet Union to adopt in the midst of war constitutional amendments of such importance. In the eyes of the initiators and the legislators such amendments must have been regarded as urgent and vital for the successful conduct of war.

At the session of the Supreme Soviet on February 1, 1944, Mr. Molotov tried to give the essence of the two decrees, as follows:

The Union itself cannot fully satisfy the manifold growing needs of the Union republics concerning foreign affairs. There is, for instance, a series of specific economic and cultural needs felt by the populations of these republics which cannot be solved by the general diplomatic representation of the whole Union or by the ways of concluding treaties and agreements with foreign states. These national claims of the republics can be answered much better by immediate direct dealing with the respective foreign states.³⁷

³⁷ V. Molotov, *O preobrazovanii narkomata oborony i narkomindel* (On the Reform of the Commissariats of Defense and Foreign Affairs), Moscow, 1944 (Russian), pp. 9 ff.

Though in this speech the rights of the Union republics to diplomatic representation are limited to satisfying "specific economic and cultural needs" otherwise unsatisfied, with treaty-confirming power of the All-Union bodies behind every settlement of the diplomatic questions, this new machinery is a most important fact in its mere existence. Competences may change, and the line between agreements affecting individual republics and treaties pertaining to the Union as a whole is not always clear. Much space remains for constitutional development. The decisive fact is the creation by the new Soviet federal legislation of a machinery for the conduct of foreign affairs by the Union republics. Now, when a question of external policy arises which interests mainly one part of the Soviet Union, the existence of republics with a special interest may have a considerable influence. "Growing needs" are much more important than the exact and restricted wordings of changeable decrees. A hint of such an interpretation is given in the very preamble to the decree on diplomatic autonomy:

With the aim of widening international connections and strengthening the collaboration of the U.S.S.R. with other states and taking into consideration the growing need of the Union Republics in the establishment of direct relations with foreign states, the Supreme Soviet of the U.S.S.R. decrees . . .³⁸

The official Soviet interpreters prefer to treat these decrees on diplomatic autonomy and military self-determination as "important measures to solve the national problems in the multinational Soviet state."³⁹ The nationalities problem and needs were decisive for the Soviet legislators when they passed the decrees, particularly in wartime; but this does not diminish the importance of a deep-going federalization of the Soviet Union realized by these decrees.

³⁸ *New York Times*, Feb. 3, 1944.

³⁹ N. Sergeyeva, "The Changes of the Soviet Constitution from the Viewpoint of the Foreign Press" in *War and the Working Class*, No. 5, Mar., 1944 (in Russian).

At first some American newspapers regarded these decrees of February, 1944, as a sort of legalistic trickery or shrewd diplomacy. The most sinister intention ascribed to Russia was of appearing at the future peace conference not as a single Soviet state but as sixteen states with sixteen votes.

Molotov's interest in the structure of the British Commonwealth also was explained along the lines of foreign policy. It was construed as an intention to create constitutional means by which foreign states which never had been under Russia's wing could be tempted to join the U.S.S.R., without loss of their political individuality in international relations.

What is the answer to the argument that "one Russia becomes sixteen, in order to augment her influence in the future peace conference"?

Suppose we do have at the end of the Second World War something like the Peace Conference of 1919. And suppose that votes there have the same importance as in any regular public body or parliament. Still this multiplication by sixteen will not work out. If it becomes clear that Russia's influence has increased sixteenfold, other participants can use the same shrewd formula. Those multinational states which constitute much looser unions than Soviet Russia can raise the similar claim of augmentation or multiplication. Great Britain could add to its voice those of the component monarchies, states, and provinces of India, no matter whether it be called empire or federation. Disregarding the arithmetic of votes, and considering only the specific weight of representation of the rich, vast and populous Hyderabads, Mysores, Bhopals, and Punjab, one finds these Indian states incommensurably more influential than small and poor Karelia or Lithuania, or even richer Azerbaijan. The same claim can be raised by France, Holland, China, and other United Nations. Thus the sharp change in diplomatic representation will be inevitably balanced by other members of this projected conference.

As to tempting foreign nations to join the U.S.S.R., this

can have only a very slight, if any value. Not a single foreign nation, unless previously sovietized, will be tempted to give up its sovereign independence for the problematic and conditional diplomatic autonomy of a subdued state. Even Bulgaria could not be enticed in that way. And a country already sovietized does not need this attraction.

On the other hand, the Soviet government does not tend to an aggrandizement of this kind. And this not only because of the argument brought by the world-famous Russian chemist, Dmitri Mendeleev, who, as a modest Russian nationalist once proclaimed: "We have more than enough to do on the territory we already have."⁴⁰ The more serious political objection boils down to the conclusion that with a growing aggrandizement of the constituent populous republics, the culturally leading and politically dominating rôle of the Russian people progressively perishes. Even the incorporation of the western border states—Latvia, Lithuania, Estonia, parts of Karelia, and Bessarabia—in 1940 reduced the percentage of the Russians in the Soviet Union considerably. Nobody is able now to compare the losses which the ethnical Russians suffered in this war with the other nations of the U.S.S.R. Only an impartial and thorough census, after the war, can give the exact figures. The spirit of the war literature and the press suggests that the Russians were represented more largely in the war than the other peoples who, until 1922, were called the national minorities of Russia. The Soviet Union, despite its internationalist indoctrination, is very sensitive to questions of the correlation of the ethnic elements of the country, and there is good reason to believe that this titanic state is not ready to take the risks involved in an indefinite growth which can lead it to the status of all typically imperialistic states—that of a minority commanding and leading a majority of subordinated nationalities and provinces of several denominations.

⁴⁰ D. Mendeleev, *K poznaniyu Rossii* (On the Knowledge of Russia), St. Petersburg, 1906, p. 46 (Russian).

If the stressing of diversities among the Union republics began early in 1944, the most urgent reason was the necessity to reoccupy the western parts of the Union, which had been under the sway of foreign influences inimical to the Soviet system and Soviet federalism. The reoccupation was only the first step toward a new political assimilation of these parts into the Soviet Union.

In this matter the greatest uneasiness was felt over the Ukraine, for decades a problem child of Russia. Before the Soviets finally seized power in the Ukraine, it had a period of political independence, followed by cooperation with imperial Germany, and later with the Allies. It was incorporated into the Soviet Union in 1921, but Moscow's cautiousness and suspicion did not diminish. The important western part of the Ukraine, including Galicia, where Ukrainian separatist nationalism flourished as early as Czarist times,⁴¹ remained outside the Russian frontier, passing from Austrian rule to that of the new, restored Poland. The Soviets paid special attention to the Ukraine; purges and privileges followed one after another (even the Communists of the Ukraine were not too reliable). But the tension began to ease in the years just before the Second World War. With a population of thirty-one million, a wealth of natural resources, a tremendous industrialization, and a developed agriculture on the best soil in the Soviet Union, this Ukraine ranked second among the republics of the U.S.S.R. Six million more Ukrainians lived outside the country, within the borders of the new Poland, oppressed economically and politically, and attracted by the greater mass of autonomous Ukraine. To a lesser degree this is true also for White Russia which historically never constituted a real state, and which had a small population of six millions and a small irredentist population in Poland of about one and one-half million.

The uneasiness the central authorities of the Soviet Union

⁴¹ See the first part of this chapter.

showed even in peacetime about local nationalism in the southern republics of the Caucasus and central Asia, as well as the western European republics, is not shown in many documents. The outstanding document of this kind is an ordinance of the collegium of the Commissariat of Justice entitled "The Fight Against Chauvinism," published on December 31, 1931. It was later reprinted in the Collection of Circulars and Instructions of the People's Commissariat of Justice May 1, 1934. This ordinance distinguishes between deeds committed against national minorities as follows: those committed by working people, and those committed by others somewhat hostile to the working classes. Acts in the first category are performed out of nationalist or religious prejudices of less developed people and must therefore be met by measures of reeducation and comradely approach, whereas those in the second are mostly consciously political—committed out of nationalist hatred and directed against the achievements of the proletarian revolution. They therefore are to be considered as counterrevolutionary crimes. The ordinance instructing the courts does not mention exactly the areas or territories where such acts or crimes are mostly committed, but western parts, Siberia, Caucasus, and the Far East are still mentioned.

During the war all these phenomena of local and centralistic nationalism, particularly the local, underwent an additional "injection." Under the German occupation Quislings were sent from Germany's old stocks of Russian émigrés, and puppet governments may have found new followers on the spot. Even worse was the influence of the German military occupation in the Baltic states. Here, the short interval of Soviet occupation from the summer of 1940 to the summer of 1941, with an almost total sovietization of urban and agricultural life, could not leave very deep traces. Twenty years of political independence and of relative well-being, from 1918 to 1939, with social legislation in the towns for workers and employees and a new peasantry established after an agrarian

reform on the former estates of the German landed gentry (1920-1921) made Latvia and Estonia small bourgeois paradises. The diplomatic, military, and bureaucratic posts were almost entirely occupied by the native intelligentsia.

Throughout the German occupation the native languages and cultures figured less strongly in the schools of Latvia and Estonia, under puppet governments called general directorates and controlled by German military forces. Some rural and urban owners of real estate and builders were bribed by a restoration of their property expropriated during the Soviet regime, 1940-1941. This was a reward dependent upon political or other services rendered to the Nazi conquerors.

In the last period of the war it became clear that the Soviet Russian armies must prepare somehow their return to and re-absorption of the Baltic states, the old gateways and outlets of Russia. The Soviets could not come back with a simple abolition of all previous political rights. They could not, on the eve of a new peace era, declare that the Baltic states were no more, that they would not even be mentioned at the council of the United Nations. A much later message to these peoples, as well as those of Moldavia, the Caucasus and Asia, would be the solemn restoration of their international individuality in the form of separate foreign offices and/or legations and special military formations.

We have seen the relative values of these new federal amendments, we have also revealed all that has hindered a full development of diplomatic and military self-determination in the sixteen Union republics. Nobody can tell whether these political amendments will be short-lived or whether, on the contrary, pressure of social or economic issues may cause them to be broadened and extended.

In the end, what is the import of the decrees of February, 1944?

First of all, they strengthened the national constituent republics and drew them into closer affiliation to the Soviet

Union. This was amply demonstrated by the unsurpassable heroism and readiness of the non-Russian peoples as well as the Russians to die in the war against the common enemy.

Parallel with this was the growing security of the whole federation, which made it possible to implement the federalization in the fullest sense.

In the second place, there was the intention of creating an inner *cordon sanitaire*. So long as the belt of states along the western frontiers, from Estonia to Rumania, was an outer cordon the unified political and social system of the Soviets had to fill in the entire framework of the federal Soviet Union. But if, from the Baltic to the central part of Asia, by way of the Caucasus, there must be created a wall of buffer states they may not fully coincide with the inner positions of the tremendous federal subcontinent. The buffers will serve better by being flexible, socially as well as politically.

In the federative structure as well as the constitutional aspect (see Chapter II) of the Soviet Union the all-Soviet Communist party with its Politbureau has the leading role. The party which remains the central "core" of the huge state is the liaison body behind the motley constitutional decentralization and administrative hierarchy of the U.S.S.R. With the Politbureau at Moscow, the secretary of the Communist party of each republic supervises the political machinery of his republic and fights any kind of central and local chauvinism and separatism which is against the "party line."

Still the "good will" of the Soviet state to a basic reorganization of the old centralist domination, touched upon in the second part of this chapter, remains unquestionable. Because, had party considerations been decisive, the Soviet Union would not have been built up as a federative body politic, but as a centralized unitary state.

IV

THE REHABILITATION OF LAW

Soviet Russia's unprecedented resistance against German attack made it clear that she was not only ready in point of arms, technical and military efficiency, but had also prepared her people and army psychologically to repel the well trained and equipped German armies.

The Bolshevik Revolution of October, 1917, after the first years of spasm, gradually settled into a new Soviet regime. Unlike the revolution which gave it birth, the new order could not confine itself to seizing and holding power or to the surveillance and control of production and distribution. Despite its sternness, the Communist dictatorship could not rest solely on a denial and extirpation of the past. It was necessary to reeducate the people, to make them the basis of the new state power, ready, in subordination to and cooperation with the organs of government, to carry out its decrees and dispositions. A new legitimacy had to be created. Instead of a continued revolutionary onslaught, need was felt to build each day stable foundations for a new state. The now powerless law of the Czar could not simply be replaced by the lawless power of the revolution. A new law was needed if the revolution was to have a lasting future. On the eve of the October Revolution, Lenin had written in *The State and Revolution*: "*An international proletarian revolution is clearly rising.*" Almost twenty years later, in 1936, the builder of the Soviet state, Joseph Stalin, declared: "*We need stability of laws now more than ever.*"

Between the dates of these assertions profound and radical changes took place in Soviet points of view, a shift from revolutionary extremism with the cry for an "immediate triumph

of a universal socialist revolution" to the ideal of a stable and peaceful state in which all the people might participate.

* * *

Russian Legal Nihilism and the Old Regime

The shift to a stable system of law was gradual, and began long before the Second World War. Significantly enough, the ideology of the October Revolution continues to be upheld. While everyone observes the official ideological taboos, new bases of state life have been laid—only appearances are unchanged.

First to yield was the sociological schematism, which penetrated all social disciplines as taught in the Soviet Union. Until 1930 the country was usually pictured by Soviet political and social scientists as the bridgehead of the universal proletariat or, less aggressively, as the "socialist fatherland" of the world's working masses. Hence the skeptical, and even negative attitude to every nationalist emotion. One has only to read attentively in the first Soviet constitution of July 10, 1918, the initial chapter containing the Declaration of Rights of the toiling and exploited people to see that the "victory of socialism in the whole world" was the official aim of the Soviet Republic, and that its governmental organs were directed to strive for "the complete triumph of the international class of workers over the yoke of capitalism." Even in the more moderate constitution of July 6, 1923, revolution throughout the world remains the leading aim. That constitution divides humanity into two camps (Part I, Declaration Concerning the Establishment of a Federation of Socialist Soviet Republics), capitalist and socialist. "The world bourgeoisie has shown itself unable to achieve the cooperation of nations," whereas the Soviet Union is the very model of a peaceful union of nations "under the conditions of the proletarian dictatorship."

This rather universal and algebraic approach was retained so long as the gains of the October Revolution had not been

entirely consolidated and the Soviet regime was still dedicated to the proposition that a revolution should take place in every country, particularly where economic, industrial, and social conditions were favorable. During that stage—now entire obsolete—the dominant conviction was that socialism cannot exist in a single country surrounded by capitalist neighbors. But after several failures to effect revolutions in the West (Hungary, Bavaria, Estonia), and in the East (Turkey, India, China), it became pitilessly clear that the U.S.S.R. was fated to be the only country of socialism. About that time the vast algebraic schemes were given up, and instead there emerged the heterogeneous Soviet physiognomy with its Russian majority and its own eastern *E pluribus unum*.

When the Soviet Union ceased to be the vanguard of universal social revolution and became itself, interest in the millennial history of Russia was reborn.

Underlying this rehabilitation of history was the awakening from the chiliastic dream of world redemption from capitalism to the need to defend Soviet sovereignty over a tremendous subcontinent with 190,000,000 people and inexhaustible natural resources. In more realistic terms it marked the victory of Comindél over Comintern. The latter, which was the general staff of the word revolution and the center of all the communist parties of the world, had to yield priority to the Comindél, the Foreign Ministry of the Soviet-Russian state. The same priority explains the subsequent rehabilitation of law.

Despite the common origins of the revival of national history and law, law had a destiny and significance of its own. For if history is merely a branch of descriptive knowledge, with only indirect influence upon school education, law is the regulator of social and political behavior and mirrors much more directly the spirit of the nation. It is in the country of cosmopolite and Marxist Soviet ideology that the teachings of Montesquieu, Sumner Maine and the historical school of jurisprudence of Savigny and Puchta appear in part to have found their best verification.

A sociologist who desired to experiment by depriving a country of its basic regulator of behavior, i.e., the positive law, could not find a better instance than the amputation of law performed upon Russia immediately after the October Revolution of 1917.

The first blow to the old legal order was the decree of November 24, 1917, abolishing the whole system of Russian courts and the laws on judiciary. The old courts were replaced by new elected courts. The new courts were to apply the old law only in so far as it was not annulled by the revolution and did not contradict the revolutionary conscience and revolutionary legal consciousness. No attempt was ever made to define or circumscribe these notions of legal philosophy. After a short interval the decrees of November 30, 1917, and April 21, 1920, entirely prohibited any application of the old law, whether civil or criminal. Private property in land was abolished as early as October 26, 1917, supplemented by the decree of February 19, 1918. The abolition was extended to urban land property by the decree of August 20, 1918. By decree of December 14, 1917, all contracts and actions concerning property in land and buildings were prohibited. An embarrassing abundance of decrees, following that of November 14, 1917, introduced the nationalization (expropriation without compensation) of all kinds of property in heavy and middle industry, banking and transport enterprises, which became state property. One of the last of the series was the decree of November 29, 1920, which transferred to the state all industrial undertakings of more than five workers operating by machinery, and of more than ten workers operating by manual labor. One of the heaviest blows to the principle of private property was the decree of April 27, 1918, which abolished altogether the law of succession and the rights of inheritance derived from it. Finally, on April 22, 1918, foreign trade became a state monopoly.

Under the influence of the "new economic policy" and out

of the need to foster participation of foreign capital in Soviet economic undertakings, a new Civil Code was promulgated on January 1, 1923; but even this provided in Article 1 that "civil rights are safeguarded by the law save where they are applied in contradiction to their social and economic determination." This economic relativity of civil rights is emphasized by Article 4 of the same code which states: "In order to develop the productive forces of the country, R.S.F.S.R. admits civil capacity [the ability to have civil rights and obligations] to all citizens who are not limited by the court in their rights."

Moreover, Article 4 of the Code of Civil Procedure provides that the courts may use general political considerations as a secondary legal source.

These were the economic and political conditions and limitations under which law and judiciary had to work after a partial restoration of law.

It is needless to inquire minutely into the reasons for the shallow rooting of the law and legal consciousness in the soul of the Russian people. There were certainly reasons of a general character at work in all geographic latitudes. All revolutionary sects and opposition movements in the late medieval and postfeudal stages were penetrated with a hatred of official positive law, and of courts and lawyers as the representatives of the applied law. Similar resentment was shown by the radical English Diggers in the middle of the seventeenth century. For them law was "the self-will of the Cavaliers." Of lawyers a "Digger Song" says:

Therefore my brethren dear,
The Lawyers quite Cashiere;
Go not to them for Law
For they your sides will claw;
They'll tell you that your case is good,
When they doe mean to suck your blood.¹

¹ *The Works of Gerrard Winstanley* (with an appendix of documents relating to the Digger Movement), ed. George H. Savine, Cornell University Press, 1941, p. 670.

Similar expressions are found in all other European countries. The abundance of Russian peasant proverbs, ridiculing written law, lawyers, and judges is not unique.

But other circumstances hampering the legal development of the country were peculiar to Russia. That development began early. In the tenth century we find the first treaties of the Russian princes with Byzantium. Under Prince Yaroslav (about A.D. 1016) appeared the first collection or code of laws, called *Russkaya Pravda* (Russian Law). Democratic city states began to appear in the eleventh century. This development and the ties with Western European states were abruptly severed after 1238 by the invasion of Tartars, or rather Mongolians. Their rule lasted till the second half of the fifteenth century and interrupted normal political growth fatally.

However, this did not hinder the later union of scores of feudal principalities into one united state with a centralized administration, legislation, and judicial power, all emanating from Moscow, the princes of which became czars—the religious, ideological, and partly political heirs of the emperors of Byzantium.

The Mongolian rule of almost two hundred and fifty years (1238–1480) was followed by a prolonged struggle for the steppes with the Tartar states in the east and the south and by a long period of internal colonization which included the occupation of the enormous area of Siberia. This colonization was in part a flight from state taxes, arbitrary power, and serfdom, and constituted a kind of safety valve for internal political tension. Possible rebels fled east and south and became the most loyal guardians of the Russian state—half soldiers and half colonist-farmers, as in the various Cossack districts. In this lies a basic difference between Western European and Russian political history.

In general, the foregoing explains why Russia could rule a population without those petty regulations needed in the

narrow towns and cities into which the strongly differentiated population of Western Europe crowded. It is therefore understandable why in Russia legal regulation and regimentation were opposed not only by men without property but also by the owner classes.

Only after 1861, with the establishment of modern courts and a progressive criminal and civil procedure, did the law and the courts win something like national acceptance from all classes. Even then a cause in which both parties were peasants had to be decided by special courts which applied customary (common) law rather than the Civil Code; and the peasants formed about four-fifths of the population. In certain cases there were also special courts for the gentry.

Down to 1917, therefore, the judicial system had not been thoroughly unified, although, compared with other state organs and especially with the administrative machinery, the courts after 1861 were the most independent bodies under the Czarist regime.

A few decades were not enough to alter the popular attitude toward the courts, and the middle classes remained skeptical and distrustful not only of the courts but even of the law in general.

This attitude also reflected the division of all public life into two watertight compartments, state and society, which always stood in sharp opposition to each other. From the time of Peter the Great to the Revolution—from the very beginning of the eighteenth century to 1917—Russian society stood out against the views and orders of the government. Government and state were synonymous. Blind submission was never counted a virtue in Russia as in Germany, where the *Polizei-staat* had the entire obedience of its subjects. On the contrary, to be a *frondeur* was almost an imperative social qualification. Throughout the more than two hundred years the gulf between positive law and public opinion remained deep, and aversion to officialdom and written law colored almost every

shade of Russian opinion from the conservative Tory-Slavophiles to the moderate and radical opposition.

So conspicuous was this lack of sympathy with the law among the Slavophiles that the poet Almazov satirized them in the following verses:

Nature for our own protection
Has deprived us of a thing
Called juridical reflection
Which in Satan has its spring.
Limitless is Russia's soul
And her justice knows no bounds,
Frames of dicta can't enfold
Truth, which has a better sound.²

But this was not only true of the moderate and conservative nationalist Slavophiles. Leo Tolstoy, standing at the opposite pole, was even more opposed to law in all its manifestations. The last of his great novels, *Resurrection*, is almost entirely a violent criticism of the judicial machinery of the Czarist regime. But underlying his critique of the Russian courts is a moral condemnation of every kind of state judiciary. It is a modern expression of Matthew's admonition, "Judge not, that ye be not judged." In this, Tolstoy mirrored to a certain degree the opinion of broad masses of the Russian peasantry of his time, for whom a convicted criminal was not hateful or dangerous but simply an unhappy man.

The hostility of Tolstoy to law and to the courts as an instrument of law found sharpest formulation in a letter to a law student written a year before his death. He had been asked for his opinion of a famous work of the Russian legal philosopher, Leo Petrazycki, *The Theory of Law and Morals*, and he replied as follows: ³

² Free translation of Elizabeth Charney.

³ See A. Skarvan, *Leo N. Tolstoi über das Recht: Briefwechsel mit einem Juristen*, Heidelberg, 1910.

The answer to the question what law really is, is simple and utterly clear: in reality law is called the alleged power of the commanding men to compel men over whom they have the mastery to do all that is useful (profitable) for the commanding. . . . Civil law is the claim of property in thousands or hundreds of thousands of hectares of soil and to ownership of the means of production. . . . Criminal law is the right of the rulers to banish, to jail and to execute all those whom they deem necessary to banish, jail, or execute.

Of the "educational role of law," the most hypocritical pretension of the jurists, Tolstoy writes to the same student:

The impudence as well as the stupidity and defiance of sound common sense which the learned gentlemen show is striking when in all gravity and self-conceit they assert that the same deceit, which spoiled and demoralized men more than any other, has morally educated them.

Oh, yes, this educational significance of "law"!

Scarcely is there any other field where impudence, lie, and blunder reach such heights. . . .

. . . It is horrible when human beings are slaughtered in their thousands by some Persian Shah, an Ivan the Terrible, a Genghis Khan or a Nero, but that is still not so bad as what is done by the gentlemen of legal science. If these latter do not kill a man they nevertheless suffocate all that is holy in him.

If the overwhelming majority of the intelligentsia and the upper middle class did not share Tolstoy's views, it was because they were not followers of his moral anarchism. Still, for decades before the first democratic revolution of 1905 and after it, to be a chief of police, a high official of the Ministry of Interior or a prosecutor was regarded even in very moderate noble or burghers' circles of the liberal opposition as incompatible with social decency. This boycott of officialdom and positive legality was not anarchism but a profoundly spiritual and democratic rejection of Czarist despotism in a Czarist and half-despotic country.

Emergence of a New Legal Order

In dealing with the rehabilitation of law in Soviet Russia we must bear in mind that the new Soviet regime was obliged not only to undo its own errors and work of destruction of the first period of dictatorship but also to break the hold of legal nihilism on the Russian spirit.

That attitude was not alien to the markers and promoters of the Bolshevik Revolution. While they were very good haters of Czarist tyranny they were by no means devout enthusiasts for the rule of law or abstract liberty. In this respect, too, Russia had long stood apart from the rest of Europe. Unqualified legalism could find no entrance into the minds of Russian protagonists of social justice, mainly because the law had never afforded means of carrying on the struggle against the old regime.

In Western Europe socialism had found many opportunities to reach political and economic goals in legal ways. Russian socialism, on the other hand, was much more sectarian and strictly puritan. The overthrow of October took place in that atmosphere of specifically Russian Marxism later called Leninism. The young Marx, himself the protagonist of a proletarian dictatorship, had written in his "Critique of the Legal Philosophy of Hegel": "Only in behalf of the rights of the entire society has a particular class the right to seize power." This thesis of the young Marx was the inspiration for a moderate socialist movement which for decades employed every legal means of struggle and compromise. So far did this go that in the last stages of the development the principle was proclaimed by the right wing of German Social Democrats: "The final goal is nothing; the movement, however, is all." In Russia even the moderate socialists never went so far.

The Bolshevik upheaval felt no need to justify itself by appeal to moral or juridical considerations, such as the com-

mon good, or the social solidarity of all society. On the contrary, any such attempt to justify the coming revolution in terms of the general social welfare would have been considered as cowardice or treason. The October Revolution had an elemental basis to which the law was entirely foreign. In *State and Revolution*, Lenin rejects the general ideas of law and justice as a kind of heresy produced by Lassalle. He asserts that every law presupposes inequality and is therefore bourgeois law. "There are no norms other than those of bourgeois law."

Characteristically enough, this teaching prevailed in Russia from the last two months of 1917 until 1922, the years of so-called military Communism when law and order can hardly be said to have existed. Lenin never used the term "socialist law"; in his view it would have been self-contradictory. He simply asserted that immediately after the overthrow of capitalism the law is necessary for a time "until the people have been taught how to work for the society." Basically the law is doomed to wither away together with the state.

As we shall see, Lenin's idea stands in drastic opposition to what is now recognized as basic legal theory by the Soviets. Lenin's "theory," or rather utopia, animated the first political attacks of 1917-1919. Persuasive during the years when the official doctrine of Bolshevism was based on the "breathing spell," i.e., the hope that Western Europe would soon join the socialist regime of Soviet Russia, it was revealed as a dream in the quarter-century that followed. Western Europe betrayed Bolshevik expectations and the lightning leap from the world of legal necessities into the world of absolute freedom fell short.

Despite Lenin and traditional revolutionary Marxism, the newly established state born in the tears and blood of a civil war and revolution showed no sign of disappearing or even of withering away. On the contrary, despite its proclaimed so-

cialist aims, it began to grow in strength. Preeminent among them were the military land, sea, and air forces. Only in the momentary exaltation of mutiny could law, legislature, courts, and juridical faculties be swept away at one stroke in a country that spread over one-sixth of the globe. When the serious business of establishing the revolution on a permanent basis came uppermost, the need for a powerful regulator of the behavior of about 190,000,000 men became evident. Despite traditional Marxist phraseology, the appearance of a tremendous new state with administrative, judicial, and military apparatus made it clear that law had to be introduced anew not only in the aspect of a "superstructure" over economics but very often as a remaker of economic relations and a builder of new forms of production, both urban and rural. The break with "revolutionary legal consciousness" as the only source of the judicial function of the People's Courts was finally made. After a relatively long interregnum, the liquidators of jurisprudence in general and of law schools in particular appeared in a new light as veritable saboteurs. It became clear, too, that these liquidators of the first years of Bolshevism interrupted the development of those contingents of jurists and lawyers without which a state is inconceivable which is to appear just and legal in the eyes of its citizens.

Only in the light of the situation just described can we understand the struggle now raging on the frontier of Soviet legal theory.

Moreover, this struggle was politically conditioned; only by insight into the Russian mind can it be understood how such abstractions as the nature of state and law can be made into political issues. In hardly any other country would this have been possible. To some extent the Puritan Revolution presents features of analogy with this Soviet Revolution, in its extraordinary outpouring of political and legal philosophy. The same pattern of preparation, revolution, and restabilization appears in each. The theory of law which even now

scarcely interests judges or lawyers in Anglo-Saxon countries became of vital importance in Soviet Russia, particularly in the later thirties.

In a sense this issue brought to focus the question whether, and the extent to which, the Soviet should function as a concrete state, independently of socialist or other ideas of its functions.

A few theoreticians continued to follow Lenin's line of thought. Among them Stutshka and Krylenko (at one time Commissar of Justice) were outstanding. Krylenko went farther than Lenin and asserted that every law not only presupposed inequality but was simply a principle of exploitation. The law, according to Krylenko, must share the fate of the state.⁴ If the state withers away, the law, which is linked with it, will inevitably disappear too. The same doctrine was taught sometimes crudely (e.g., Krylenko, Stalgevitch, and Resunov), sometimes more subtly (e.g., Korovine and Pashukanis) until the second half of the thirties. Professor M. von Reussner, once a follower of Professor Leo Petrazycki, tried courageously to defend the psychological theory of law and to deny the fatal association of law with the destiny of the state. He asserted that the law was not a mere tool of exploitation, tied to the class struggle, but often had nothing to do with the pressure of state power or even with pure economic interests.⁵ Reussner's views were vehemently attacked by more consistent Leninists such as Stutshka, Krylenko, and Pashukanis. But even Reussner tried basically to adapt his views to the obligatory orthodox Marxism and the teachings of Engels. It was his thesis that after the disappearance of bourgeois law there was still place for another kind of law.

⁴ N. Krylenko, *Besiedy o prave i gosudarstve* (Conversations on Law and the State), Moscow, 1924.

P. Stutshka, *Revolucionnaya rol' prava i gosudarstva* (The Revolutionary Role of Law and the State), Moscow, 1921; *Uchenie o gosudarstve i konstitucii R.S.F.S.R.* (The Teaching on the State and Constitution of the R.S.F.S.R.), Moscow, 1922.

⁵ Michael Reussner, *Pravo* (The Law), pp. 24, 254, 255, Leningrad, 1925.

The theories of "bourgeois" thinkers continued to be urged under cover of obligatory Marxism or Leninism, or were revived with new terminology.

Two circumstances made it necessary to have done with Marxian relativity and the "superstructural" character of law. These were the entry of the Soviet Union into the League in 1934 and the adoption of the third Soviet constitution in 1936. Marxian skepticism toward law was tolerable while the heritage of the once purely revolutionary movement continued to be a basic motivating force in post-October Russia. But the new Russia went from revolution to the New Economic Policy and thence to a renovation of rural life and to the five-year plans. In the accomplishment of all this, the state and the law remained the principal instruments of the regime. Soviet Russia could not rely on the precedents of prerevolutionary judicial decisions. The great Anglo-Saxon bridge of equity, or judge-made law, had no parallel even in pre-Bolshevik Russia. In practice, therefore, the state was the only source of law. All law had to be enacted, all law was and is state law in Russia. Moreover, in case of doubt over the application of a law or decree, the collegium of the Commissariat of Justice was empowered to instruct the court.

Under such circumstances the previous official Marxist dogma, that the law was only a superstructure built on existing economic or productive relations, failed to meet the need of the times, proved detrimental to the prestige of the Soviet state, and falsified the evident fact that a tremendous economic revolution was being carried out by means of that very law. To the new spirit which animated all organs and bodies of the Soviet regime, the Marxian theory of law was not congenial. Entirely independent of the truth of Marxist teachings the Communist movement, so long as it was revolutionary, considered the law and the law-producing state (both of which were hostile to its goals) as bourgeois creations that ought to disappear if the bourgeois basis of society was destroyed.

The rehabilitation of law in the Soviet state also served the political purposes of the Soviet regime, to which legislation, the creation of law, became the most honorable of functions. For the first time in Russian history, obedience to law became a virtue.

In the interest of strengthening the State internally as well as of developing a new foreign policy, putting an end to the somehow shocking epoch of revolutionary destruction became a task of first significance. Here the most noteworthy phenomenon was the November 16, 1933, note of protest from Washington against activities of the Comintern, which preceded only by a few days the American recognition of the Soviet Government (November 22). It was only on August 27, 1935, that a final reply was sent to this Washington note, containing guarantees of strict mutual noninterference in internal affairs.

In the second half of the thirties the Soviet state became particularly interested in showing that it could be a sincere and unshakable ally and advocate of the principle *pacta sunt servanda* (agreements are to be kept). The increasing number of international treaties, especially those of nonaggression and friendship, the growing orientation toward the League of Nations and collective security made the old-fashioned allures of revolutionary ideology and phraseology more and more a nuisance, even fit to be suppressed.

This became still more important as the Leninists in legal philosophy became more aggressive. Not only did they "unmask" the inconsistencies and secret bourgeois tendencies of the prewar professors of law, but they began an inquisitory censorship even of Communist writers on legal philosophy and constitutional law.⁶ This resulted in a ban on the theories of

⁶ E. Pashukanis, *Obshchaya teoriya prava i marksizm* (General Theory of Law and Marxism), Communist Academy, 1928, and *Za markso-leninskuyu teoriyu gosudarstva i prava* (For the Legal and State Theory of Marx and Lenin), 1931.

Pashukanis, Krylenko, and other extreme Leninists, who had earlier held high administrative or judicial position. Their writings were declared to be harmful distortions of the real views of Lenin. In the wordy academic discussions, the bias of official legitimism appeared more or less clearly.

Revision of Marxist Legal Philosophy

A landmark of the new period was the First Conference of Juridical Scholars, convoked in Moscow in July, 1938.⁷ There a comprehensive report was presented by A. Vichinsky who had shortly before replaced Krylenko as State Commissar of Justice. Prolonged discussion followed the report. In some respects the conference revealed an almost medieval scholasticism, and its discussions were occasionally reminiscent of the ecumenical church councils of old. Public repentance for old errors was expressed by some scholars who confessed to heretic views on Marxism, and promised to defend the official views in the future.

The main point around which the arguments and the resolutions turned was whether law has a place in a socialist state. Lenin had answered the question negatively in 1917 in *State and Revolution*. A score of years later that dogma had become insupportable.

The change of dogma took the form of a discussion and condemnation of the Stutshka-Krylenko-Pashukanis theory. Said Vichinsky: "Asserting that under socialism there is no basis for a continuous development of law, the 'spoilors' pretended to liquidate Soviet law and undermine the science of Soviet law. Therein lies the basic meaning of their provocative behavior and harmful activities. . . . Hence the vehement propaganda of the withering away of law, hence, too, the

⁷ See *Osnovniye zadachi nauki sovietskago socialisticheskago prava* (The Basic Tasks of the Science of Soviet Socialist Law), Moscow, 1938—published by the State Commissariat of Justice of the U.S.S.R.

reduction of law to economics [as if such reduction had not always been one of the principal theses of orthodox Marxism] or to politics. In both ways they shatter the specific character of law, which is the totality of rules of behavior, customs and social principles established by the state and compulsorily defended by state power.”⁸ Again Vichinsky said: “Reducing law to economics, as was done by Stutshka in asserting that law coincides with the productive relations, these gentlemen fell into economic materialism. In this conception the law ceases to be an active power, one of the most important factors of struggle and state upbuilding. By reducing law to politics these gentlemen deprive the law of all its character. In reality such a way of thinking reflects discredit on Soviet law and legality by asserting that the Soviets do not defend the rights of the citizens but are tending to carry out their politics.”⁹

There cannot be the least doubt that Vichinsky and his followers, like their opponents, were moved by political considerations. Their primary aim was to strengthen the Soviet regime. Nevertheless, in his struggle against orthodox Marxism, Vichinsky went so far as to urge that law has an imminent value as an abstract category, not dependent upon economics or politics. In short, he defended a theory which orthodox Marxism has always viewed as an idealistic heresy. This profession of a new faith is somewhat gruffly expressed: “By reducing law to economics, Stutshka and his followers liquidated law as a particular and specific social category, drowned it in economics, and deprived it of its active and creative role. Such a legal approach deprives the independent investigation of law as a special science of all meaning.”¹⁰

In the light of this *ad hoc* idealism called forth by the needs

⁸ *Osnovnie zadachi, etc.*, p. 191.

⁹ *Ibid.*, pp. 30-31. Compare above my quotations from the Civil Code and Civil Procedure.

¹⁰ *Ibid.*, p. 32.

of the time, Vichinsky vigorously defended the civil law of the family, of testamentary and intestate succession, of marriage, etc., and stressed especially the rights of the individual. He rejected with contempt, as an anti-Soviet calumny, the assertion that the rights of the individual person in the Soviet state are subordinated to the reconstruction of society. He was particularly disdainful of Professor Yevtikhiyev, who "dared to assert that the rights of the person play a rather subordinate role in the Soviet Republics by comparison with the rights of collective bodies."¹¹ In that connection the rapporteur called for a reconstruction of civil law theretofore neglected in Soviet Russia.

As to international law the rapporteur declared: "Against the rapacious policy of international fascism we are demonstrating the mighty and invincible force of socialist law and justice, of respect for international treaties and for international law."

The discussion of Vichinsky's report was not of a high order. The efforts at definition of law, one of the principal concerns of the conference, were especially mediocre. The anxiety of Russian scholars lest they transgress against the commandments of obligatory doctrine was pathetic. Despite this lack of independence the conference marked the rebirth of legal science in a country which for nearly two decades had bitterly denied that it had any value under socialism.

The Soviet organism is undergoing a vigorous regeneration of state symbolism. The present war has been a tremendous factor in reversing the previous identification of state power with counterrevolution. In the army, where the military commanders had been the representatives of state force and the political commissars had stood for socialism in all its ideological purity, the resulting dualism in the soul of the soldier was ended when dual command was finally abolished in October, 1942. The supremacy of the Soviet state over all other

¹¹ *Ibid.*, p. 32.

loyalties was thus established. The later dissolution of the Comintern (June 10, 1943) is part of the same line of development.¹²

The upheaval of October, 1917, found elementary expression in the destruction of state symbols, including the double-headed eagles on public buildings and the removal of the insignia of army and navy officers, which were looked on as marks of Czarist privileges over the people. A quarter of a century later, Soviet officers again wear huge shoulder epaulettes and gold stripes.

The restoration of law was a necessary forerunner to any growth of popular "etatism" in Russia. How far law will develop is hard to say. Before the revolution there were some who asserted that the Russian people, and particularly the intelligentsia, lacked all legal sense. B. Kistiakovsky wrote:

The Russian intelligentsia consists of men who are not disciplined, individually or socially. This is connected with the fact that the Russian intelligentsia have never had respect for law, and never saw any value in it; the cultural values of law were for the most part neglected by them. It is little wonder therefore that our intelligentsia have not acquired a solid legal consciousness, but on the contrary remained at a very low level of development.¹³

A. Potressov, a moderate socialist thinker, held similar views. It is sometimes asserted that the Bolshevik radicalism of the first years found a fertile soil in this social indifference of the intellectuals. In all fairness, however, it must be said that the opposition to Bolshevism by the radical intelligentsia, going as far as armed resistance, shows that assertion to be false.

The laxness and the lack of legalism cannot be denied, but are by no means to be identified with weakness of character.

¹² In answer to Mr. King, the Reuter correspondent, Stalin on May 28, 1943, explained the dissolution of the Comintern as a necessary measure to foster patriotism among the United Nations.

¹³ See Bogdan Kistiakovsky, *Sotsialnyi nauki i Pravo* (Social Sciences and Law), Moscow, 1916, p. 616.

On the contrary, they went with a tendency to revolutionary boldness which existed even in the aristocracy and the upper middle class. The intelligentsia were the pole of opposition to law. The Czarist regime under which public life was split into state and society, dominant bureaucracy and subject people, promoted this duality, and encouraged disdain for law at the bottom by strict legalism and formalism at the top.

The Soviet state had not only to repair the sins of its own revolutionary youth but to overcome the basically unjust attitude of Russia's masses.

In the second half of the thirties it became clear that if state life without law was inconceivable, the making and defense of law could not be left solely to the state apparatus. The safeguarding of state interests had ceased to be the exclusive concern of the bureaucracy, as in old Czarist Russia, where officialdom was sharply separated from "society." The rehabilitation of law involved a sociological renovation.

The unusually drastic interference of the state with the life of the individual was not a means of making him a slave. The lack of constitutional traditions of liberty went together somehow with concern for the material welfare of every citizen. The state's interest in his spiritual welfare was manifest in the provision for making him literate and in its provision of opportunities for scaling the artistic and scientific heights of civilization. True, for a quarter of a century the Soviets have subtly woven a net of state control about the farthest corners of Russia. They have sought to bind to themselves the most intimate fibers of the human soul. By planned economy, and every means of centralized pressure and legislation, they have penetrated the whole life of the citizen.

Home and habits, food and education, work and rest, residence and movement, holidays and workdays, belief and lack of faith, taste and tastelessness—all were regulated by the state. Is there a better school for the appreciation of constitutional liberties than this school of state guardianship and control?

If the antithesis of enlightened absolutism and of the police state was the genuine nineteenth century constitutionalism of the "people's will," what will be the nature of the antithesis that will supplant prereform Sovietism?

The Soviet state has not changed the title and banner which the first leaders of the revolution gave it. Under that banner its earliest struggles against the Russian capitalist and liberal state order were fought, it became the leader of the international revolution, it was reborn as a national state, and its role as the organizer of universal revolution was liquidated. In the field of law, too, the Soviet power wrote *finis* to its own radicalism and rebellion. From the conception of the withering away of the state and of law it turned to a new conservative conception designed to safeguard its achievement.

Not only were all law schools reestablished in the universities, but special law schools were added. Instead of the less strict economic state law, civil law was restored both in legislation and in university education. Civil and criminal procedures were reintroduced, to put an end to the chaos of "revolutionary legal consciousness." Red tape and even the old-fashioned juridical Latinism were solemnly revived. For special questions of criminal law and procedure and of civil law, the previously liquidated bourgeois jurists were recalled from the kingdom of shadows, and their works reedited.

Professors of law who had been ousted were invited to cooperate anew. Vichinsky spoke of "those honest jurists who, being educated to and penetrated by old legal culture and science, have shown themselves unable, just because of their weak Marxist-Leninist preparation, to resist the saboteurs efficiently." The saboteurs, of course, were the dogmatists of the withering away of state and law. He continued: "In the field of organization of scientific workers the saboteurs wrought much harm. They pushed aside old scholars under the pretext that they lacked command of Marxian methodology, and they displaced the young ones because of their youth and because

it is not yet possible to entrust them with the investigation of serious juridical questions.¹⁴

How far does the program of the rebirth of old legal culture really go? That program breaks sharply with the first two transitional decades of Soviet history, as is shown by the contrast between the oath taken by the soldier of the Red Army during the civil-war period and that required now.

The tremendous increase of literacy, the equalization of the life of millions, the dependence on the state in the fields of production, distribution, and welfare, have made democratic ideals of a former elite into a necessity of the whole population. The same factors have prevented any tendency to turn the ordinary citizen into a working automaton.

In this context the traditional opposition of Russian literature to arbitrary administration, and its unique criticism of every kind of despotism or social injustice, have become an educational factor of great importance, far exceeding the mere text of the constitution of 1936. This development is in sharp contrast with that in Germany, where efficiency in domestic work, in military drill, and in battle have always been functions of the Prussian virtue of *Kadavergehorsam* or corpselike obedience.

Liberty became a necessity to every one and not merely to a persecuted minority, because every one lacked it. In this collective need lies the genuine force of a future Russian democracy.

In any case, law has ceased to be for Soviet Russia what it had been in Marxist theory: a mere superstructure resting upon an economic basis. In the Soviet state it is a recognized regulator of behavior. This is no Soviet discovery; but, in recognizing this function of law, the Soviet state through its own theoreticians has shifted its ideological base. The juridical conference of 1938 stressed this in its positive and negative definition of law when it declared: "Law is not a system of

¹⁴ *Ibid.*, p. 58.

social relations, law is not a form of relations in production, law is an aggregate of norms and rules of behavior."

The significance of such idealistic formulations should not be minimized. They spell the defeat of the ideocratic force of early Bolshevik terminology, with its obligatory dialectic of materialist dogma in Soviet social thought including jurisprudence. In a crude way the Soviet authorities themselves have opened the gates for the "old juridical culture" and its allies to reenter, and have set a term to the destructive Leninist conception of state and law, and, what is equally important, to the entire legal nihilism of the Czarist period.

Since 1941, this trend of restoration has been carried further by the revival of old institutions and the recognition of psychic factors and apperceptions of human behavior, patriotism, and plain goodness, which have nothing to do with the orthodoxy of the revolutionary class struggle.

V

THE REHABILITATION OF NATIONAL HISTORY

Backward Russia and the West

The idea of *rehabilitation of national history* may, when first encountered, appear unintelligible. For it is clear that each country has its own peculiar history which cannot be gainsaid, which cannot be voided and then rehabilitated and renewed. It is therefore necessary to scan Russian thinking and Russian sociology in order to appreciate the significant changes that have taken place in these fields under the Soviet regime.

For decades the Marxist doctrine was developed in criticism of and opposition to the existing economic and political order. With the success of the October upheaval, it was suddenly proclaimed the basic "Weltanschauung"—the obligatory ideology of a new Soviet economic and political order. This necessarily affected the fields of research and the problems to be studied. It was one thing to apply the Marxian materialist concept of history in global measurements to the development of the capitalist phase on an international scale, allowing broad generalizations and rules concerning the development of the productive forces in the whole civilized world; it is an entirely different thing to apply these general rules, or what have to be taken as rules, to *one* country with its specific national, demographic, economic, cultural, and other features, regardless of its vast territories or its tremendous, heterogeneous population.

This change must have been particularly difficult, because Russia had long since been recognized as the most backward

country among the great powers of Europe—not only economically, but also in civilization and culture. This backwardness was, so to say, officially admitted by Lenin and Stalin. Lenin wrote in May, 1920,¹ about the “tremendous differences between backward Russia and the advanced countries of Western Europe.” He was far enough removed from chauvinism to give the benefit of doubt to the argument that Russia, exactly because of her backwardness, could serve as a model for more developed countries even in the field of social revolution. “It would also be a mistake,” he wrote, “to lose sight of the fact that, after the victory of the proletarian revolution in at least one of the advanced countries, things will, in all probability, take a sharp turn, viz., Russia will cease to be the model country and once again become a backward country—in the *Soviet* and in the socialist sense.” This meant that in a future socialist order on an international scale Russia would necessarily be behind England or the United States.

The same backwardness was admitted by Stalin, much later but along another line of thinking. He referred to it rather from a specifically socialist patriotic view in order to show that this backwardness belonged essentially to the past. In regard to the last wars of Czarism, he stated very emphatically that “we [Russians] were beaten because of our military backwardness, our cultural backwardness, our state backwardness, our industrial backwardness and agricultural backwardness.”² We shall see later how this motif was used after 1934 to strengthen the rehabilitation of national history. But in the first period of the Soviet regime the consciousness of Russia’s backwardness was one of the reasons the regime, in full accord

¹ *Detskaya bolezn levizny v kommunizme* (Left-Wing Communism: An Infantile Disorder), Moscow, 1940, p. 5.

² Cf. Speech of Stalin delivered at the First All-Union Conference of Managers of Socialist Industry, Feb. 4, 1931, in the book Joseph Stalin, *Leninism*, London, 1940, pp. 365, 366. In the same speech Stalin states: “We are fifty or a hundred years behind the advanced countries. We must make good this distance in ten years. Either we do it, or they crush us.”

with orthodox Marxism, placed all its hopes in a universal revolution in which the Western powers, or rather their working classes, would play the leading role.

The Marxist approach in questions of history was not entirely foreign to the science of Russian history before the October Revolution of 1917. As far back as the late 1880's and the 1890's, Marxism in its various branches—economic materialism, historic materialism, and dialectic materialism—was already extensively published in serious Russian reviews dedicated to economic, political, historical, and philosophic questions. There was even a specific school called *legal Marxism*, which attracted a number of scientists, among them men like Berdyaev, Bulgakov, Bogdanov, and the two famous economists, M. Tugan-Baranovski and Peter Struve, and the historian-sociologist, G. Plekhanov (Beltov). At the close of the 1890's, the young M. Pokrovski, one of the later leaders of historical science in Soviet Russia, began publishing his works in which the economic factor is especially emphasized. Under the guise of legal Marxism, fighting against the idealistic school of Populism, were some books by authors politically connected with the Social Democratic movement and therefore in opposition to the moderate and eclectic legal Marxists. Lenin mentioned this in his pamphlet, "What Is to Be Done?"

Speaking generally, this was an extremely curious phenomenon, that no one in the Eighties, or the beginning of the Nineties, would have believed possible. Suddenly in a country ruled by an autocracy, in which the press is completely shackled, and in a period of intense political reaction in which even the tiniest outgrowth of political discontent and protest was suppressed, a *censored* literature springs up, advocating the theory of revolutionary Marxism in a very euphemistic language, but understood by all "interested" people. The government had accustomed itself to regard only the theory of revolutionary Populism as dangerous without observing its internal evolution as is usually the case, and rejoicing at the criticism levelled against it *no matter from what side it came*. Quite a considerable time elapsed before

the government realized what had happened and the unwieldy army of censors and gendarmes discovered the new enemy and flung itself upon him. Meanwhile, Marxist books were published one after another. Marxian monthlies and newspapers were published, nearly every one became a Marxist, Marxism was flattered, the Marxists were courted, and the book publishers rejoiced at the extraordinarily ready sale of Marxian literature.³

No less curious is the striking fact that none other than Lenin himself was one of the left-Marxists who in 1899, under the *nom de plume* of Vladimir Ilyin, published a book on the Development of Capitalism in Russia, the subtitle of which was "The Growth of an Inner Market for the Heavy Industry." This solid book, based on a wealth of statistical data, was directed against the idealistic Populists who believed romantically in the genuine and lasting character of the ancient Russian peasant communities—*obshtchina*. Lenin showed in this book that under the conditions of a growing capitalism the traditional forms of Russian rural economics could not resist the progressive march of capitalism and must degenerate. The old community of equal peasants was doomed to break up into two parts: the small owners, and the rural workers. Lenin limited his observations to the inner, purely Russian portions of the country, which retained much more of the old system of rural communities than the western portions. Eighteen years later the ardent advocate of Russian capitalistic development became the leader of a social revolution directed against capitalism in Russia and the world over.

In general, however, the well developed Russian historical science was not dominated by Marxism. Most of the writers and scholars in this field belonged rather to idealistic schools. A minority followed reactionary or conservative trends, and among these were some advocates of Czarism. However, the majority belonged to different liberal schools despite the fact

³ *Sotchineniya* (Works), Vol. IV, p. 373. Cf. *Handbook of Marxism*, ed. E. Burns, 1935, p. 581.

that the Russian universities, and the Academy of Science, were under state control. There was, indeed, a certain diversity of dealing with the general topics of investigation, mostly on Russia. However, a great deal of the investigation concentrated upon general history, and works in this field were of such high value that they were translated, if not actually written in, English, French, or German.

Among the famous Russian historians who investigated non-Russian subjects, have been Sir Paul Vinogradoff, professor at Moscow and Oxford universities, whose basic Russian work on the social history of medieval England was later revised and rewritten into English, under the title, *Villainage in England*; D. M. Petrushevski, who wrote *Upheaval of Wat Tyler*; Maxim Kovalevsky and his monumental works *The Development of Modern Democracy* and *The Social Order of England to the End of the Middle Ages*; and, finally, Michael Rostovtzeff, formerly of St. Petersburg University and later professor of Ancient History and Archaeology in Yale University. Space does not permit naming scholars who investigated all the stages and branches of Russian history—a most attractive field of social science. In an overwhelming majority they were not Marxists.

By the Revolution of October, 1917, the new Soviet regime became heir to an extensive and extremely rich historical science. Inherited values and traditions of tremendous bearing, both in the investigation and in the elucidation of history, underwent a radical change.

The basic ideological premises of the first, most revolutionary, phase must be examined in order properly to understand the later period of the rehabilitation of national history. The leading revolutionary element of the October Revolution were Marxists, in theory and in practice. For them the revolution in Russia was basically a very important step toward the overcoming of the historical backwardness of Russia, and simultaneously, a salutary example for the struggle of the workers

of Western Europe—particularly of Germany and Austria-Hungary—against world imperialism and the domination of the bourgeoisie. This was the main idea in Lenin's *State and Revolution*, completed only a few days before the October uprising. For him, destruction of the Russian state was only the first step toward the destruction of every kind of capitalist state. He quoted Marx to show that even the degree of capitalist development is not so important:

In spite of the motley variety of their forms, the different states of the various civilized countries all have this in common—they are based on modern bourgeois society, only a little more or less capitalistically developed. Consequently, they also have certain essential characteristics in common.

A year later, November, 1918, Stalin wrote in *Pravda*:

After being victorious in Russia and taking possession of a number of borderlands, the Revolution could not stop short at the territorial boundaries of Russia. In the atmosphere of imperialist World war and of general discontent among the lower classes, it could not but spread to the neighboring countries.⁴

In his speech at the opening session of the eighth congress of the Communist party, March, 1919, Lenin emphasized the international scale of the October upheaval and the establishment of the Comintern in the following remark:

Comrades, you all, of course, know that the founding of the Third Communist International in Moscow is an act of the greatest importance in relation to the defining of our international position. Until now, against us still stands an enormous real military force of the strongest powers of the world; nevertheless, we confidently say to ourselves, . . . "this force has begun to totter."⁵

⁴ As translated in *Handbook of Marxism*, ed. E. Burns, 1935, p. 818.

⁵ "The Communist Party in Russia and Its Relation to the Third International," *International Conciliation*, Jan., 1921.

It would be beside the point to quote more extensively merely to show that not only for Lenin himself but for the entire Communist party, in all its variations and subfactions, the chief aim was the provoking of social, world revolution. Even during the war with Poland, in 1920, the Red Army was the vanguard of this revolution. Under these conditions the generally universal scope of the Soviet state doctrine—of which history is a most important scientific concomitant—could remain more or less unchanged as compared with the old doctrinal patterns of the past when Marxism was but the ideology of a fighting movement. Thus Soviet Russia, in the eyes of its founders, was but the starting point of a universal revolution. For them, in such hectic times, history had only one task: to concentrate upon the last decades of the capitalist world as the eve of world socialism, and to serve as a modern and temporal *ancilla theologiae*. Even in the period between the death of Lenin, 1924, and the entry of the Soviet Union into the League of Nations, 1934, this could not have been greatly changed. The danger of a possible coalition of Western bourgeois powers against the Soviets remained the *idée fixe* and the ruling factor of political action. History turned out to be politics projected backward.

Absence of History

These were unfavorable conditions for historical research, in both general and Russian history, under which the investigators and scientists were obliged to work after the collapse of the short democratic regime of Kerenski, the gravedigger of Czarism. During the first years of the new Soviet regime, history ceased to be taught regularly, even in public schools and high schools. At a conference of the Humanitarian Pedagogic Institute, held in March, 1923, this absence of history from the usual school curriculum became quite clear. An exchange of opinions between an old-fashioned, conservative

teacher and a young, enthusiastic teacher is cited: Says the conservative opponent: "Where is history? Instead of history, they propose newspapers, and something extremely intangible called current events [sovremenost] which is unintelligible even for adults." To which the youth replies, "Current events is very clear and simple if looked upon from the viewpoint of Marxism."⁶ A few months later the same periodical points out that sociology and history are taught on the basis of newspapers, principally *Izvestia*, the explanation of this strange method being that, "by reading and analyzing newspapers it becomes evident that we are only a part of the international whole and of all that constitutes contemporary life. Studying the topics of the newspapers, we find that the international *specific gravity* of the Soviet Republic is gradually growing."⁷

This period of a relative absence of history was conditioned by both ideological and purely factual causes. The first meant that the new Soviet regime, based on a revolutionary Marxist doctrine, could not mobilize, for the needs of education and research, an even approximately sufficient staff of teachers, scholars, and writers. The overwhelming majority of the teachers of history, both in the universities and in the entire school system of the country, were not only far from Marxism but far from any radical liberalism, and many of them were conservative if not monarchic. This discrepancy could not be openly admitted by the regime. It was much simpler to replace the subject matter than it was to replace the experts and teachers. Moreover, destruction resulting from the First World War and the Revolution augmented the predicament. The famous Russian historian S. F. Platonov, himself a conservative rightist, in explaining the bad situation of historical research in the Soviet Republic, stressed only the technical causes and cautiously avoided mentioning the more important ideological

⁶ The official monthly, *Narodnoye Prosveshchenye*, No. 4-5, 1923, p. 208.

⁷ *Ibid.*, No. 6, p. 113.

reasons. Surveying ten years' work of the Academy of Sciences,⁸ Platonov writes:

The old forms of research and publishing performed by all institutions and societies of history and historical science were destroyed and could not be continued in the years after the Great War, of the subsequent upheaval, and the deep political and social changes. The universities and the seminar auditoriums were empty because of the mobilization of the youth for military or political purposes. The scholarly societies lost their subsidies and their collaborators. Archives were transferred or mixed, or reclassified. Printing and publishing reached the stage of full decline.

But this "absence of history" could not be suffered for long, and after seven years the first timid attempt was made, in 1925, to correct it. At the University of Moscow an Institute for History was included in the All-Russian Association of Institutes for Scientific Research (abbreviated from the Russian name, RANION).

Sovietization of Historical Science

At first there was collaboration between the representatives of the old school and of the Marxist wing. Gradually, however, the former were repulsed and were deprived of the right to teach, while the number of Marxist fellows grew. The Institute for History required thorough preparation of the fellows in Marxist doctrine, and in the last phases all its work had to be done along the lines of Marxist methods. The final step in this development was the inclusion of the Institute in the Communist Academy, October 1, 1929.⁹

Meanwhile, a somewhat Leninized historical materialism was formulated in a deluge of books, textbooks, essays, and sym-

⁸ *Akademiya nauk S.S.S.R. za desiyat' let, 1917-1927* (Academy of Sciences During Ten Years, 1917-1927), Leningrad, 1927, p. 83.

⁹ H. Jonas, "Die Entwicklung der Geschichtsforschung in der Soviet Union seit dem Ausgange des Weltkrieges I," in *Zeitschrift für Ost-Europäische Geschichte*, Vol. V, pt. 1 (1931), pp. 75, 76.

posia. The foundation for this modernized Marxism was laid by Bukharin, in his *Theory of Historical Materialism*. This book was intended to be the methodological introduction to works in economics and in sociology, including history. About this time (1928-1932) the situation of historical science was proximately formulated by Krivtsov, in a paper on "Methodology of History," as follows: "History is to a certain degree restored in its rights, but not fully." This meant that history was recognized as a specific subject matter parallel with economics, with questions of methodology and with sociology in general; but the boundaries of this branch of study were not fixed. The same rapporteur said, "We continue to stand on a definite viewpoint of global history."¹⁰

Universalism and globalism dominated the minds of Soviet historians, and official programs supported their view. With the increasing infiltration of research fellows who were mostly members of the Communist party the Institute for History became progressively identified with party lines and its approach. In 1931, the branches of research prescribed for the Institute were: Methodology of History, Sociology, History of Industrial Capital, the Epoch of Imperialism, Oriental History, the History of the Proletariat in the U.S.S.R.¹¹ This program is the best proof of the global conception of Soviet Marxism at the time. In it the Soviet Union appears in only one of the six branches prescribed and then only in so far as the development of its proletariat—a minority of the population—is concerned, that is, in so far as the proletariat remains the basic link between the Soviet Union and the global, historical development of the world. The center of gravity lies in general topics, and there is no place for the subcontinent called U.S.S.R. as a particular entity that deserves special

¹⁰ Cf. *Trudy pervoi vsesoyuznoi konferentsii istorikov-marksistov 1928-1929* (The Works of the All-Soviet Conference of Marxist-Historians, 1928-1929), Moscow 1930, Vol. II, pp. 455, 458 (Russian).

¹¹ H. Jonas, *op. cit.*, pt. 5, pp. 389-390.

elaboration in the highest institution of historical research of the country.

Historical Materialism and the Soviets

But even the development of historical methodology was not an abstract and immanent causal link between ideas. This was in the highest degree dependent upon historical facts, especially facts connected with changes in the internal politics of the most important European countries, and upon international and foreign relations. The conviction became more and more crystallized that there is no hope for a world social revolution; that there is no serious probability of any of the leading powers joining the social revolution initiated by Russia late in 1917. Out of this conviction the leftist opposition of Trotskyites and the rightist opposition of moderate socialists fabricated their most solid argument of the impossibility of establishing socialism in one country. This was one line of argument which mirrored a certain disappointment of the Soviet government in the probability of a global revolution. In addition, a most intense psychological repercussion took place in the Soviet Union after the rise of Hitler to power in Germany. Germany, after decades of organized labor movement, of traditional class consciousness and class struggle—this industrially advanced country with some eighty years of socialist education—failed to show any resistance to Nazism, even before the latter seized power.

In 1932, some months before the rise of Hitler to power, Dmitrii Manuilski in the theoretical review *Bolshevik* (later reprinted in the symposium on "The End of Stabilization of Capitalism") predicted the impossibility of the Nazification of Germany:

Germany is the country of the most powerful mass Communist party [in the West] which among all advanced capitalist states is closest to a proletarian revolution.

It should never be forgotten that Germany is not half-agrarian like Italy or Poland, it is a country with a gigantic proletariat; a country in which the memories of a proletarian, if unsuccessful, revolution of 1918 are still alive; a country with a powerful Communist party, with a proletariat conscious of the traditions of its class organization, and with a long history of class struggle. Therefore, the government of Papen-Schleicher will never succeed in putting a muzzle on the German masses and crucifying them on the hooked cross of Nazism.

A few months later, in March, 1933, this optimistic prophecy based on the Marxist belief in the "activity of the German workers" was proven to be false. The acquiescence of the German people to the Nazi state order led to the greatest disappointment and mistrust. The whole line of earlier Soviet Union policy of partial support of Germany, as such, even of its military strata, against the Versailles powers, suddenly became a disastrous failure.

A quick reorientation, both political and ideological, was the crying need of the hour. The entry of the Soviet Union into the League of Nations was but the most astounding phenomenon in this growing repudiation of old orthodox views, particularly of the modest "pseudonymism" of the tremendous country. It was no longer enough to speak about socialism in one country and its necessity for the interests of the international proletariat. It became vitally urgent to secure the existence of this state against the best organized and most war-minded country of the world—the rapidly restored Germany.

Abstract Marxism was no longer sufficient. More than that, a new conception of the old doctrine—if it needed to be nominally retained—should be reinterpreted in order to turn old sins of orthodox Marxism into virtues of a new teaching. This was done in 1934. History was declared the most important front of a Stalinist revision of Marxism. The new slogan became: "Children and youth must be educated in a new kind

of patriotism"—in a forceful patriotism which is fully entitled, in its own name and for the sake of its own existence, to ask highest sacrifices against hostile powers. No abstract Marxism which left wide room for discussion concerning the backwardness of the Soviet Union, alias Russia, as compared with Western Europe and the United States should be allowed, nor too much vacillation as to *which* country should go to the head of world progress. Even according to Lenin's writings, it was almost clear that Russia, on the very basis of Marxism, could not be a leading power in the progress. Retaining lip service to Marxism and Leninism, this new doctrine poured new wine into old vessels. Against the old doubts and lamentations of backwardness, the masses had to be indoctrinated with a new faith in Russia's capacity to "overtake and outstrip the advanced capitalist countries" of Western Europe and the United States, technically as well as economically.

Official Decisions Concerning History

This trend began with the well camouflaged decision of the Council of the People's Commissars and the Central Committee of the Communist party, taken May 16, 1934. Both these bodies stated:

The teaching of history in the schools of the U.S.S.R. is unsatisfactory. The textbooks and the teaching itself are permeated by an abstract, schematic character. Instead of learning *civic history* in a vivid and interesting way, by presentation of the most important events and facts in chronological sequence and with characterization of historical personalities, the students are given abstract definitions of social and economic formations. Thus, instead of a coherent exposition of civic history, they get abstract sociological schemes.¹²

On January 27, 1936, *Pravda* quoted other discussions in the

¹² Cf. the decision of the Council of People's Commissars and the Central Committee of the Communist Party of May 16, 1934, in the booklet *K prepodavaniiu istorii* (On the Teaching of History), Moscow, 1937, p. 18.

Council of People's Commissars regarding the preparation of new textbooks in history; and finally, on August 22, 1937, a decision of the jury of a government commission was quoted. This decision, concerning the subject matter of history in high schools, underscores some specific defects of books in which the authors, first, idealize the pre-Christian heathenism of ancient Russia, forgetting that the introduction of Christianity was progress beyond pagan barbarism (Christianity gave literacy to the Slav peoples and introduced elements of the high culture of Byzantium), and, secondly, ignore the progressive role of the monasteries in the first centuries after the Christianization of ancient Russia. Moreover, they do not ascribe any positive role to the absorption by Russia of the Ukraine in the seventeenth century, and of Georgia in the eighteenth century. They see in the absorption only absolute evil, although in fact it was a much lesser evil as compared with possible conquest of these countries by feudal Poland or Sultanate Turkey.¹³

The Fight Against Heresy

In the light of this new concept of history and historical materialism (Marxism), the fight, declared and carried out against the adherents of a more abstract and orthodox and less opportunist Marxism of the old style, becomes comprehensible. The central figure of this clash of conceptions was proclaimed to be M. N. Pokrovski, former professor in the Moscow University, a prominent member of the Bolshevik party under the Czarist regime, and the founder of the Communist Academy of Science in 1918. In the Little Soviet Encyclopedia (Volume VI, 1930) M. N. Pokrovski is described as "the most distinguished Marxist historian not only in the U.S.S.R. but in the whole world." He became the scapegoat upon whom were loaded all the errors of old Marxism. He died in 1932, but

¹³ *Ibid.*, p. 38.

after his death a fierce onslaught was made upon his views, finding its most radical expression in a collective work, entitled *Against the Historical Conception of M. N. Pokrovski*, published by the Academy of Sciences in 1939.

The official and posthumous indictment of Pokrovski, in Volume XXX of the *Great Soviet Encyclopedia* under the heading "History and Historiography," is permeated by the same condemnation with which the dominating sects and churches have attacked heretical teachings since the Middle Ages. Acknowledgment of his great merits and services to the Russian revolutionary movement and to the exposure of hostile bourgeois historiography did not save him from indictment for some basic faults: (1) forming his own conception of historical science, quite different from Marxism; (2) subordinating politics to economics and characterizing of the latter as the deciding factor; (3) underestimating, and even completely negating, the subjective factor and the role of personalities; and (4) distorting the genuine historical process of the development of Russia. Fundamentally, these accusations mirror the far-reaching changes which developed in Russian Communism after 1934.

The new trend asked for a justification of these changes. It aimed to introduce, under the old nomenclature of Marxism, a new specific and patriotic doctrine disregarding, or at least reevaluating, certain general tendencies of Russian history, as in her conquests, and emphasizing other events and developments if useful or necessary to the contemporary line of Soviet policy.

Henceforth the interests of the Soviet state, as formulated by its highest organs, were to form the measure for judging the development of the country in the past and the direction it should take in the future. To illustrate this: If in 1654 Czarist Russia absorbed the Ukraine, the Soviet state could not be indifferent to the description and explanation of the incident, and could not leave it to the free judgment of the

historians, because the secession of the Ukraine and reincorporation in 1919-1920 under the Soviet regime formed one of the most critical international questions to be touched on by Hitler in *Mein Kampf* long before the Second World War. Hence the necessity to justify some past performances of Russia, especially those related to expansion, which leads even to justifying or extenuating Czarist conquests and annexations. For instance, the incorporation of the Ukraine is presented as having been a more progressive step in 1654 than fusion with Poland—allegedly because Poland was then feudal, backward, whereas Russia at the time was even more feudalistic than Poland. Thus history was forced to serve contemporary politics. The case of Georgia and its absorption by Russia in 1801, and a second time in 1921, is similar.

Pokrovski, a Marxist of the abstract and objective old type, had made some pronouncements on this question which were not forgotten. He declared at the First All-Soviet Conference of Marxist Historians that the annexation of Georgia in 1801 was nothing more than a grab by Czarist Russia.¹⁴ The claim that it was a measure for the defense of Georgia against Turkey and Persia, said Pokrovski, was the same kind of lie and hypocrisy as the old assertion that Russia in 1878 sought only to defend Bulgaria and had no interest in turning that country into a Russian region. He concluded with the statement: "In the past, we Russians—and I am a most pure-blooded Great Russian—were the biggest robbers imaginable."

The most important transgressions by Pokrovski, however, were those formulated in the basic indictment. The fight against him was at bottom the fight against the former Soviet school of Marxism. The Soviet regime could not permit domination of the political superstructure by economics, because Soviet planned economy and related measures created new economic forms and new phases economically and socially

¹⁴ In the discussions upon F. Macharadze's paper "Georgia in the Nineteenth Century." The minutes of this conference, Moscow, 1930, pp. 494-495.

reshaping a huge subcontinent. Nor could it permit minimizing and denying the significance of personalities in history. True, this was a shibboleth of the orthodox Marxian school, especially in Russia where it was made a point of credo as opposed to the so-called subjective sociology of the Russian Populists (P. Lavrov, K. N. Michailovski, and others), who were enthusiastic adherents of Carlyle's philosophy of history and his cult of heroes. But the Soviet state needed the psychology of haloes around its leaders. The militarist, or semimilitarist, psychology of a waning world war and of a consequent civil war which called for leaders and heroes on all fronts (labor, production, etc.) made it imperative to engender great respect for and reverence of individual effort. Recognition of the "subjective factor" was made the pivot on which stimulation of efficiency and competition turned. Under these circumstances, the prerevolutionary negation of personal effort and of the positive, history-making role of the individual had to be disapproved by the Soviets and branded as contrary to the "very core" of the new regime. Finally, the accusation against Pokrovski (or rather against the old Marxism) that he distorted the genuine peculiarity of Russian national history must be characterized as actually the most important.

The fight against abstract sociology thus, in reality, turned out to be the creation of a new national doctrine. Soviet social and political thinkers learned well the lesson taught by Italy and Germany. They learned that, even in countries with traditions of radical resistance to the political and social order, Italian anarchists and German communists could be induced by such enemies of progress as Fascism and Nazism to surrender their arms if it was shrewdly argued that national existence was in mortal danger. The old constructive idea, based upon the solidarity of the nation-state, proved incommensurably more motivating and challenging than all other types of solidarity—from religious to the Marxian class solidarity.

The Soviet regime under Stalin had the intellectual audacity

to apply this lesson of current history, in spite of earlier indoctrination along very different lines, and undertook to rehabilitate Russian history with some slight revaluation of phenomena and personalities that had been almost wholly disregarded. There is a well defined similarity between the rehabilitation of law and the rehabilitation of the national history in Soviet Russia. As Soviet Russia, in the realm of legal consciousness, had to fight against an old nihilism and a deeply rooted animosity toward legal procedures, so, in the field of history, it had to overcome the old skepticism of the intelligentsia toward the past achievements of Russia. Since Alexander I (1801-1825) it had been improper among the intellectual elite to be overpatriotic. The long and persistent opposition to the autocracy of the Czars, who engaged in military operations for conquest rather than defense, eventually estranged the liberal elements from the Russian state. The current making of history, technically connected with the machinery of war and diplomatic service, became the immediate affair of the ranking Russian aristocracy and the Baltic Germans, who gathered about the throne and were hated and politically isolated.¹⁵

The years following the social revolution teemed with hopes and aspirations for an international upheaval. Neither the *absence of history*—the stage depicted above—nor preceding stages, had been at all favorable to nationalism. Only after the decisions of 1934 and 1936 was the new trend officially introduced. It was a wise psychological introduction to, if not an

¹⁵ According to Masaryk, up to the end of the reign of Alexander II (1880-1881) the Germans, constituting only 1.1 per cent of the general population of Russia, were represented in the state civil service as follows:

Ministry of the Imperial Court	39 per cent
High Military Command	41
Ministry of the Navy	39
Ministry of War	46
Ministry of Foreign Affairs	57
Post and Telegraphs	62

Cf. Thomas G. Masaryk, *The Spirit of Russia*, Studies in history, literature and philosophy. London and New York, 1919, Vol. I, p. 158.

actual foreseeing of, the participation of Russia in the Second World War.

The inferiority complex of a backward Russia, the *idée fixe* of the Russian intelligentsia, had to be destroyed, and the destruction had to begin at the very roots of Russian history. A striking part of the acknowledgment of backwardness is in the legendary event that had always been regarded as the starting point of Russian history, the invitation to the northern Varangian princes, Rurik, Sineus, and Truvor, recorded as of the year 862 in the following words in the Russian Chronicles: "Our country is big and abundant, but within her there is no order; come and reign over us and possess us."

It must be said that by the close of the nineteenth century Russian historians had concluded that this legend did not represent the actual fact of the ninth century. The legend was in full accord with the old concept of a basic state covenant, and might well have fitted into the usual picture for the chroniclers and historiographers of the past centuries. The prominent Russian historian V. O. Klutchevsky finds that no such peaceful invitation based on a covenant was ever issued,¹⁶ but what really happened was the hiring of foreign warriors, well armed for those ancient times—much better armed than the Russian Slavs in the regions of Lake Ladoga and Novgorod. The Varangians had their own armed bodyguards (*druzhina*): these Nordic mercenaries would serve as defenders of the Slavs against their numerous enemies in return for pay, food, and a division of the spoils. In those times, Scandinavian corsairs were often hired by European countries—in the West they went so far as to invade and provisionally dominate Scotland.

Notwithstanding, September 21, A.D. 862, remained the official date of the emergence of Russia into history long after the discoveries of her historians, until, finally, the legend was

¹⁶ Cf. V. O. Klutchevsky, *Kurs russkoïy istorii* (A Course in Russian History), Vol. I, pp. 165-168, Petrograd, 1918.

shorn of its traditional glory by none other than Soviet historical scientists. Then the year 862 disappeared from all elementary and scientific textbooks. The chronological index of the official course in Russian history, by Professor Pankratova, does not mention it.

For the attitude of contemporary, wartime Russia toward this question, we refer to a review in the *Red Army Journal* for 1942-1943,¹⁷ giving *September 21, 862*, as the date of the creation of the Russian state. On this revival of a repudiated legend, the *Historical Journal* commented:

It would be out of place to polemize on this topic at this time. It is necessary, however, to remark that in our days the Fascist pseudo scholars are making extensive use of the legend for the sake of calumniating the Russian people by proving its inability to establish its own body politic without the help of the Nordic supermen. Thus, to publish the legend of the invitation of the Varangians as cooriginators of the Russian state in the pages of the popular Red Army Journal is none else than grave political error.

Westernization of Russian Historiography

A revision is more far-reaching than a mere reinterpretation of facts. To relate the historical development of Russia more closely to the development and division into historical periods of the principal cultural countries, Soviet historians were obliged to establish that the history of Russia did not differ so markedly from the history of the West as earlier Russian historians had supposed.

Soviet historians try to standardize Russian history along the familiar lines of the historical development of Western Europe. A leading historian, Professor B. Grekov,¹⁸ denying the importation of statehood to Russia from the northern

¹⁷ Published by the political administration of the Red Army and printed in the *Historical Journal* (Russian), July, 1943, p. 95.

¹⁸ See B. Grekov, "The Kiev Russ and the Problem of the Genesis of Russian Feudalism," published in the previously mentioned symposium *Against the Historical Conception of M. M. Pokrovski*, pp. 70-116.

countries, avers that Russia herself created a kind of empire led by the descendants of the Rurik Varangians. He regards this empire, with Kiev as its capital and center, as an eastern counterpart of the prefeudal, barbaric state of Charlemagne in Western Europe. This is particularly true of the period of feudalism.

True, as far back as 1907 a Russian scholar, Pavlov-Silvansky, "discovered" Russian feudalism in his book *Feudalism in Ancient Russia*. Some Soviet historians tried to find a similar idea in Lenin's book on the *Development of Capitalism in Russia*, published in 1899.¹⁹ But most considered this view prejudiced, and influenced by the tendency to bring Russia's history closer to Western patterns. In 1944, the concept of feudalism in Russia belongs to the obligatory credo of Soviet historiography.²⁰

This tendency to draw parallels between Russian history and the history of the West goes farther. B. Siromyatnikov, a young historian of the Soviet Union, shows, in his book *The "Regular" State of Peter I and Its Ideology* (1943), that Russia under Peter I was an enlightened, absolute state typical of European enlightened monarchy. Analogies and similarities are found between the Hanseatic towns, on the one side, and the Russian city-states of Novgorod and Pskov, on the other. This equalization or finding of parallel institutions and epochs—barbaric state, feudalism, enlightened monarchy, etc.—has the tendency to make Russia appear as an equal partner with

¹⁹ S. Bakhrushin, "The Feudal Order in Pokrovski's Interpretation," same symposium, p. 122.

²⁰ In the same symposium are two articles, by B. D. Grekov and by I. I. Smirnov, in which the appearance of the Kiev state is depicted as the Russian phase of an all-European process of transition from slave-owning antiquity to the feudal Middle Ages—the one and the same process, identical in nature for western and eastern Europe (p. 96).

Grekov writes that the premise of every correct analysis of historical events in Russia is the recognition that Russia did not develop according to its own peculiar rules, but followed paths similar to those of other European and non-European countries, and, like them, passed through a long feudal period (p. 86).

the other leading powers of the world. As B. Goryanov wrote in an important survey of the works of Professor B. D. Grekov:

The works of B. Grekov on Kiev-Russia are a tremendous tribute to our Soviet science of history. After the publishing of these works the legend of the economic, political, and cultural backwardness of the Eastern Slavs [Russians, Ukrainians, and White Russians] is shattered. We now see how the Eastern Slavs established their state. B. D. Grekov has dealt a crushing blow to the legend created by the Fascists, according to which Slavonic peoples are unable to upbuild a state.²¹

The process of innovation upon the long established methods of Marxism or historical materialism in the Soviet Union was doubtless unique. The method of Marxism was applied to an internationally existing order with capitalist economy and private initiative as basic features. It had at the same time to find ways and means of overcoming this social order in the whole world. Working in these fields, historical materialism since the time of Marx had discovered some important causative links; but all its findings related to world-wide problems. Consequently, the so-called dialectical development of history, originally formulated by Hegel, was also of a universal character. The stages of this development in the triad—thesis, antithesis, synthesis—were tantamount to symbolizing the discovery that every social system contains the seed of its dissolution. In capitalism as a social system the most disruptive force has been the inevitable and objective tendency toward economic concentration and monopoly.

Of a similar universal relevance is the connection between and the mutual causation of the economic basis and its superstructure—law, morals, politics, ideology, etc. It is one thing to state and verify general developments of universal capital-

²¹ Cf. *Historical Journal*, No. 7, 1943, p. 100. Goryanov fails to note that the legend is much older than Nazism. The idea was a favorite theme of Pan-Germanists and was repeated by many conservative German historians and political writers long before the appearance of Nazism.

ism, but an entirely different thing to supersede the capitalistic system in a specific country and to substitute socialism for it in one-sixth of the globe. All this social and historic "cognizance" based on universal phenomena could not give the basic understanding of a particular country of such dimensions and diversity as Russia, that is to say, the Soviet Union.

Marxism, with its factual economic and sociological statements on the one hand, and with its trend toward abolition of privilege and discrimination on the other, could be impressive only so long as all of humanity was its object. But the October Revolution of 1917 brought this abstract international scheme down to the earth of concrete Russia. Here we have a this-world variation of a similar development in Christian history, when the ecumenic, universal Catholic Church was forcibly replaced by national churches. That change too, manifested in the Reformation, was painful. In both revolutions faith and dynamic enthusiasm were decisive. In each, ideas and trends were overgrown with the flesh of the body politic, of institutions and regulations. In each, social changes took place, changes specifically national in their expression. Universal dogmas of confession or ideology alone were sufficient to meet the needs of the autochthonic movements. At this point there is no difference between universal Christendom and universal socialism.

Let us consider the famous Marxian dogma of the "withering away of the state" as a general and universal tendency in contrast with an actual problem in a country which has carried out a revolution and yet has had to strengthen its state powers. Let us contrast another general Marxist dogma, that socialism can be brought about only by advanced countries in which capitalism has reached the highest stages of integration of capital, with a backward agrarian country like Russia in 1917 (less than 4 per cent proletarian and about 80 per cent peasant), which is far from the standards of advanced capitalism.

Only a solid conviction of being builders of a new socialist

order in an old country could possibly bridge over the discrepancy between reality and wishfulness. Like the Protestants who in their state churches divorced themselves from Catholicism and revolted against medieval scholasticism, the founders of the Soviet state divorced themselves from universal socialism and revolted against some dogmas of orthodox Marxism, becoming eclectic and confounding socialism with national patriotism.

Alongside the revolutionary and *international* galaxy of socialist forerunners and of founders of new "scientific socialism," a new national pantheon appeared in the second half of the 1930's, including personalities ignored if not condemned in the original period of Leninism. Such were: Princes Alexander Nevsky and Dmitri Donskoi who, in the thirteenth and fourteenth centuries, fought against the Teutonic Knights and the Tartar hordes; Minin and Prince Pojarski, the victorious leaders of the fight against Polish invasion, about 1613; Peter the Great, the crowned revolutionary reformer and "augmenter" of the huge Russian Empire, who extended Russia to the Baltic Sea in the north, and to the Black Sea in the south; and the heroes of the Fatherland's War of 1812 against Napoleon, with Count Kutuzov at the head.²² Even the ill-famed Czar Ivan the Terrible (1547-1584) was restored to his glory by Soviet historians because of his struggle for the Livonian regions of the Baltic Sea and his persecution of the feudal boyars.²³ Since Russia's entrance into the new world

²² Cf. Mikhail Bragin, *Field Marshal Kutuzov*, Moscow, 1944, a rather non-Marxist, superficially patriotic pamphlet translated from the Russian, and the thorough study of Napoleon by the Academician E. Tarle (1942), based on French, Italian, English, and Russian sources.

²³ Cf. R. J. Vipper, *Ivan Grozny* (Ivan the Terrible), Moscow, 1944. Vipper argues that Ivan's continuous wars against Livonia late in the sixteenth century were not aggressive but justified, because they sought to "restore" (?) land formerly Russian. In general he thinks that Czar Ivan's greatness was misread by Fletcher in the sixteenth century and the liberal opposition down to the nineteenth century, all of whom, in their attempt at an abstract moral evaluation, libeled Ivan as a tyrant, forgetting his reforms and his military successes.

war, the second, the national, pantheon has quite overshadowed the first, the socialist, one.

That this patriotic thinking controls the leaders and the builders of the Soviet Union is evident in their own statements and writings. The approach of the review *Bolshevik*, the "theoretical and political organ of the Central Committee of the Communist party," is noteworthy. In 1943 it devoted no special article to general Marxism, but confined itself to military and patriotic problems. In October, 1943 (Nov. 19-20), an editorial dedicated to the twenty-sixth anniversary of the great October Socialist Revolution justified the revolution not as opening the attack upon world capitalism but as rescuing Russia from a catastrophic national destruction by the Czarist regime and by foreign domination. It stated:

The social order established by the October Revolution was the source of that vivifying force which awakened in our nation a colossal energy and creative initiative. . . . The criminal policy of the stupid Czarist rulers brought Russia to the brink of the abyss. The country was threatened with seizure by foreign imperialists, particularly by those of Germany. But the mighty people led by the party of Lenin-Stalin averted this catastrophe. Having thrown down the power of the exploiting classes and having established a new social order, the nation found its way out to a great historical progress. The October Socialist Revolution rescued our country from foreign domination, economic ruin, loss of political rights, and racial hatred. . . . The Soviet Union thus became a mighty power standing in the vanguard of the advanced and progressive humankind. The Soviet power transformed our country also in the military sense. The Soviet country turned into a mighty state to resist successfully every military onslaught.

No less characteristic is the report of A. S. Shcherbakov, made January 21, 1944, at a commemoration of Lenin on the twentieth anniversary of his death. In this report the revolution of 1917 is simply described as a patriotic attempt to recover Russia's national independence, and the Soviet socialist

system is depicted rather as a system to overcome the economic backwardness of Czarist Russia and to accelerate and strengthen the productivity of Russia's industry and agriculture. The report ended:

The whole country went in the direction which inevitably would have brought it to the annihilation of its political independence. It is the Bolshevik party alone that rescued our country from this humiliating state.²⁴

These patriotic urges had been by no means decisive in 1917 in motivating the leaders of the October upheaval. Neither the leaders nor the masses were inspired by national patriotism. This revolution was basically a social and political revolution directed against a declining empire. Its dynamic inspiration was the negation of the past and of all patriotic symbols of old Russia, from the double-headed eagle to the epaulets of the officers of the Czarist army and navy.

The rehabilitation of national history which began long before the entry of the Soviet Union into the Second World War was in itself a challenge to dogmatic Marxism; but it was necessary to the war effort and was therefore introduced and indoctrinated, regardless of whether it was in accord with the dogmas of prewar and early Soviet Marxism.

The new state doctrine of the Soviets in the field of history has departed a long way from the old principles and dogmas. Here the Soviet Union has revised its old concept much more than did the Western democratic powers, and particularly the Anglo-Saxon countries. In this, the rehabilitation of national history was one of the most effective measures. To be more exact, it may be said that this was not only a conscious intention carried out; it was probably much more the pressure of the events which produced such a tremendous change in the ideology and its presuppositions.

The same journal, dealing with theoretical problems, gives

²⁴ See *Bolshevik*, Jan., 1944, No. 1, pp. 11-13.

the following characterization of Russian history, which will be evaluated by every reader as a clear-cut idealistic concept:

The Russian people has built its state in a hard fight with severe nature and numerous enemies which threatened its existence. This fight ripened those qualities of the Russian man, the builder and fighter, which enabled him to create the great Russian culture and literature and to defend them against all foes whom he met on his historical journey. "In Europe," wrote the historian Klutchevsky, "there is no other people less pampered or less pretentious, accustomed to expecting less from nature or destiny, and more enduring. . . . No other European is able to withstand such great strain in labor as a Great Russian. . . . It is much easier for him to perform something great than to get accustomed in his mind to his greatness." In this historical way ripened and unfolded the love of the masses of the people to their country, a love for the sake of which the loftiest deeds were accomplished; in this way was born Russian patriotism.²⁵

This new evaluation and revival of patriotism led to the birth of a new anthem, replacing the old "International." In it Russia is expressly named as the leading country in the Soviet Federation, and she is given, not her modern name *Rossiia*, but the archaic name *Russ* which goes back to the first centuries of her existence around Kiev and Novgorod. This archaic designation of Russia, used in ancient chronicles, in the epic legends and in folklore, seems inappropriate to the over-rationalized antiromantic Marxist Soviet period. But no more befitting the environment is the restoration of the Orthodox Patriarchate and the establishment of the High Theological Institute in Moscow, and a series of other contrasting elements now living side by side. Contrast thus becomes the very essence of the last stage, alike in the province of ideology and literature and in that of political issues and acts. And despite the intermingling of styles somehow it all serves, as a rehabilitation of national history, to strengthen a federalized Soviet Union.

²⁵ A. Timofeyev in a critical essay in *Bolshevik*, No. 19-20, Oct., 1943, pp. 92-93 (Russian).

VI

SOVIET FOREIGN POLICY IN THE WEST

Early Years of Intransigence

Soviet foreign policy, and particularly the Soviet attitude toward the League of Nations, was largely determined by the evolution of the official ideology of the U.S.S.R. This ideology grew out of a revolutionary movement aiming at international reconstruction of the existing social order. As the realization of this aim became increasingly improbable, policy gradually turned to the nearer goal of preserving the internal regime and defending it against aggression. We have therefore to show the polarity of the foreign policy of the Soviet Union fluctuating between the dogma of a universal revolution and the need of safeguarding the stability and security of the Soviet state.¹

This political polarity was not equivalent to physicomathematical polarity. The swings of political polarity are irregular: under the influence of internal and external factors they may be broad and powerful at one time, and almost die down at another, only to reappear under favorable conditions. This polarity is expressed in meteoric flashes: geopolitically, it may appear as the universal body politic unidentified nationally or geographically, as the U.S.S.R., or conversely as the arch-national, ancient *Velikaya Rus* (Great Russia), suddenly restored in the Soviet anthem. Ideologically viewed, it may swing from atheistic, "scientific" socialism to the modernized Orthodox Church. Internationally, it may fluctuate from col-

¹ See the Introduction to the author's "The Development of Soviet Foreign Policy in Europe, 1917-1942, *International Conciliation*, No. 386, Jan., 1943, p. 5.

lective security of the world to the restoration of national states or modern Slavophilism.

With due respect to Machiavellism, which was doubtless shown more than once by the Soviet Union, the evolution of Bolshevik politics is not trickery, as stressed by many critics; it is to a great degree the result of compulsory political and sociological causation. We should, therefore, never ascribe too much cleverness, maneuvering, or even diabolical shrewdness to the men responsible for Soviet foreign policy.²

In its initial romantic and heroic period Soviet Russia adhered consistently to a doctrine independent of geographic latitude and national hues. As a state, however, the U.S.S.R. has had to reckon with the mentality of its own heterogeneous population, with environment—its neighbors, or allies during the Second World War—and with political orientation. And it had to determine within which constellation of powers it belonged.

Upon the transformation of the Bolshevik movement into a tremendous body politic, covering one-sixth of the earth, the unanimity of sectarian hostility to the bourgeois world was replaced by willingness to compromise. In so far as the U.S.S.R. did not wish to give up its revolutionary dreams, the Comintern (Communist International) remained the organ for their expression, representing the Russian and all foreign Communist parties. Conversely, diplomatic intercourse was conducted, as in other well ordered states, by a foreign office, the People's Commissariat for Foreign Affairs (Narkomindel).

The Comintern, as the central body of the world Communist movement, was the most important organ of Communist ideology, especially in the years following the rise of Communism to power in Russia.

According to *State and Revolution*, Lenin's basic political work, the upheaval in Russia marked but the beginning of the

² David J. Dallin, *Russia and Postwar Europe* (New Haven, 1944), pp. 66, 154-155, 207.

Revolution which was eventually to cover the world. To Lenin, socialism was a universal regime and not just a peculiarly Russian revolution. The spirit of "world revolution" marks such documents as the Appeal of the Council of the People's Commissars to the People of the Belligerent Nations, or the Appeal of the same body to "all the toiling Moslems of Russia and those of the East" (November 24, December 4, 1917), or even the Treaty of Friendship of February 26, 1921, between Persia (now Iran) and the Russian Federated Soviet Republic.

After its sad experience with radical and persistent socialization, Russia was compelled, in 1922, to introduce the new economic policy which created islands of private initiative, commerce and trade, and led to a restoration of private law. With weakening of radical socialism in the economic field, there began a revision of the basic political doctrine of universal socialism. As Russia's relations with the outside world grew, it became necessary to establish and maintain normal diplomatic relations and interchange, while the hope of transforming the postwar unrest of the European masses into social revolution dwindled. The working classes of industrialized Western Europe appeared to be reluctant to join the Russian revolution of November, 1917, and Bolshevik upheavals in Hungary and Bavaria were short-lived. Moreover, in order to secure their national restoration and/or their military rehabilitation, some Asiatic states, such as Turkey and, to some extent, Iran and China, were eager to take political advantage of the help of Soviet Russia against the victorious Allies, afterward the leading powers of the League of Nations. But they were by no means disposed to accept a sovietization of their own internal regimes.

The new economic policy and the partial but very difficult overcoming of various economic bottlenecks prepared the way for the first five-year plan. Russia now retreated to the regular lines of national reconstruction.

With the death of Lenin, the Calvin of Bolshevism, in 1924, the factions led by Stalin and Trotsky began a bitter political struggle to determine the general line of the party. The struggle was mainly over the possibility of "socialism in one country." Such apparently theoretical struggle involved an all-out clash of basic forces in the new Russian state and affected decisively the foreign policy of the country. For the purposes of this chapter, this situation must be well understood.

The doctrine of world revolution had the practical consequence of making the Soviet Union the prime and sole instrument of the revolutionary idea. International cooperation with bourgeois states was therefore impossible to conceive. Hence the Soviets' fanatic contempt for the League of Nations. This burning hatred finds its only analogy, a remote one, strangely not in the modest mentality of the radical democratic diplomacy of the French Revolution, 1791-1793, but in the intransigent relation of Calvinistic Geneva to the Pope and the universal Catholic Church. Only in terms of this fanatic proselytizing can such definitions and characterizations of the League be understood as Lenin's "an alliance of world bandits against the proletariat," or Foreign Commissar Chicherin's "a League of capitalists against nations."³ And even so late as 1925-1926 is to be found in the rather academically inspired article on the League of Nations, printed in the *Encyclopedia of State Law*, a characterization of the League, running as follows:

The League is a cover for the preparation of military activities in order to continue to oppress small and weak nations. It is to a high degree only a kind of a diplomatic Exchange in which the strong powers are arranging their affairs and are making their mutual calculations behind and on the account of the small and weak nations.

The struggle around "socialism in one country" found its mirror in the above mentioned struggle between the Comin-

³ Kathryn W. Davis, *The Soviets at Geneva*, New York, 1934, p. 21.

tern (Communist International) and Comindel (the Commissariat or Office of Foreign Affairs). Both of these were under the highest supervision of the Politbureau of the Communist party, but in so far as the Comintern naturally reflected the growth and aspirations of a social revolution in planetary yardsticks and harbored a number of representatives of different countries, it held a different and more revolutionary outlook than the more sober Ministry of Foreign Affairs.

As relations between Western Europe and the Soviet Union developed, the radical Comintern grew more and more cumbersome. In the first romantic period of Bolshevism, no doubt the Soviet hostility to the League was strengthened by the very fact that the Western bourgeois world had created in the form of a League a kind of international association. In this first period Russia would have preferred to maintain individual relations with each country separately; but the League somehow created a united front which, according to Marxist doctrine, could only mean a more or less camouflaged bourgeois front against the Soviet state. At the beginning of its international relations, new Russia sought the isolationist, pre-war way to each country separately. But the strengthening of the League made these old tactics impossible, and this is one of the reasons why a special note was written by Foreign Commissar Chicherin, in 1923, proposing another kind of league. The note emphasized the Soviet Union's "negative attitude with regard to the League in its present form and as at present constituted." "Russia would prefer," he said, "to see general congresses convened for the purpose, which would appoint their own executive organ with the duty of putting into effect such decisions as might be taken." The congresses would replace the Geneva League not only in the field of disarmament, but also "for the purpose of effecting the amicable settlement of all disputes, without application of penalty or measures of constraint, and would take the form of general congresses of all governments which would arrive at agree-

ments voluntarily.”⁴ Free, noncompulsory, and loose congresses, without power of decision, were in the eyes of official Soviet Russia a lesser evil than an organized universal body with clear fixed competences and functions in the hands of bourgeois states, such as the systematically and permanently working League of Nations actually was. In those early years the Bolshevik belief that the world was ultimately bound to go socialist, that the League was only a temporary obstacle in this process and therefore superfluous, was by no means given up. Chicherin’s note was the tribute which the Foreign Office paid to the ideological inexorability of the Comintern.

Unfortunately, this intransigence was supported not only by doctrinal dogmatism but also by purely political combinations, especially the growing friendship between Soviet Russia and defeated Germany, two potentially strong non-League members. Russia was categorically opposed to the entrance of Germany into the League of Nations.

Toward de Jure Recognition

Before the full *de jure* recognition of Soviet Russia, a series of agreements was concluded between it and some other important powers. The most prominent instrument of this kind is the Trade Agreement of the R.S.F.S.R. with Great Britain, signed in London on March 16, 1921.

There were some other pacts in which the *de jure* recognition of Soviet Russia was an immediate result of each pact. Such were the peace treaties between Estonia and Russia, February 2, 1920; between Lithuania and Russia, July 12, 1920; between Latvia and Russia, August 11, 1920, and the Riga Treaty of Peace between Poland, Russia, and the Ukraine, March 18, 1921; also the German-Russian agreement of Rapallo, April 16, 1922—one of the most important treaties which associated Communist Russia with a democratic bour-

⁴ Cf. *ibid.*

geois country in an opposition to the Genoa Conference and its projects. In this regard, the year 1924, during which exchanges of diplomatic notes were made with the respective countries, was particularly important. Great Britain recognized the Soviet Union *de facto* on February 2 and 8, after a long period of vacillation and exchange of views that had begun in February, 1921. Later in 1924 the Soviet Union was recognized *de jure* by Italy, on February 7 and 11; by Norway, on February 15 and March 10; by Austria, on February 25 and 27; by Greece, on March 8; by Sweden, on March 15 and 18; by Denmark, on June 18; by Albania, on July 4 and September 4; by Mexico, on August 4; by Hungary, on September 5; by France, on November 4.⁵ Recognition by the United States came on November 22, 1933,⁶ and by Rumania and Czechoslovakia, in June, 1934.

The development of events brought a gradual shrinking of the Comintern's hopes of a major upheaval in the stabilized bourgeois Western world. As a series of attempts to establish Soviet regimes by more or less apparent coups d'état, in Bavaria, Hungary, Estonia, and other countries of Europe and Asia (China and India) proved unsuccessful, a theory of stabilization of capitalism took hold in the political literature of the Soviet Union. This theory found support in the fact that there was till the end of the 1920's a general improvement and stabilization in economic conditions of Western Europe. This fact was openly recognized by the Soviets in several discussions, specifically at the Congresses of the Comintern; and significantly enough, as late as 1931 a book was published in Moscow on the World Economic Crisis and the End of the Stabilization of Capitalism.

However, the Soviet policy of making friends with states which remained outside the League, such as Turkey and

⁵ Professor Y. Klutchnikov and A. Sabanin, *Mezhdunarodnaya Politika* (International Politics), Pt. III, Moscow, 1928.

⁶ Edwin D. Dickinson, "The Recognition of Russia," *Michigan Law Review*, Vol. 30. (1931).

Germany, or with dissatisfied League members, such as Lithuania, and of promoting discontent and revolt in China and colonial or mandated territories, could not last long. The admission of Germany into the League in 1926, after the Locarno agreements of 1925, was a terrific blow to all illusions of this kind with which the Soviet Foreign Office had to reckon. No less important in this transaction was the break in Chinese-Soviet diplomatic relations in 1927.

Until 1927, the contact of Soviet Russia with the League was handicapped by the prevailing theory and practice of incompatibility of the Soviet Union with the outer bourgeois world. Nevertheless, practical contacts were established between Russia and the League as early as 1921-1922, through the League Epidemic Commission, the Warsaw Health Conference, and the work of Dr. Nansen on the repatriation of war prisoners and the settlement of refugees. Economic and health conditions in Soviet Russia were so bad, especially after about three years of civil war in the most fertile regions of the huge country, that such wholesome contacts simply could not be avoided.

Russia took part not only in the International Sanitary Conference in Warsaw, March 20-28, 1922, but also in all Public Health Personnel Interchanges thereafter. Technical and humanitarian contacts multiplied. Invited to the European Sanitary Conference at Geneva, the Russian Government together with Estonia, Latvia, and Poland, signed the Protocol of Riga on March 30, 1922. The Protocol contained "a solemn declaration of a sincere desire for universal peace." In February, 1924, Russia took part in the Naval Conference at Rome, and in 1926, in the session of the Committee on Unification of Private Law in Inland Navigation.

But the basic change of attitude toward the League began with the Economic Conference in 1927, where the abyss was bridged by the declaration of the Soviet delegation that a peaceful coexistence of capitalist and communist states is pos-

sible during the transition period in which we are now living.

This declaration marked the defeat of the old dogmatic and doctrinaire intransigence which was represented principally by the Comintern and by the Trotskyite wing of the communist movement. The doors and gates of opportunism were now opened for Soviet foreign policy.

Militant Pacifism

At the same time a series of treaties with most of the neighboring states was concluded on the basis of the pacific development of mutual relations and the preservation of the *status quo* concerning their frontiers. Such nonaggression treaties were concluded with Turkey, December 17, 1925; with Lithuania, September 28, 1926; with Iran, October 1, 1927; with Afghanistan, June 24, 1931; with Finland, January 21, 1932; with Latvia, February 5, 1932; with Estonia, May 4, 1932; and with Poland, July 5, 1932. It remains an important and common feature of these treaties that they simultaneously guaranteed peace and forbade any intervention of a political character. In this connection Article 4, paragraph 5, of the treaty with Iran is noteworthy. It reads as follows:

The two parties undertake, in virtue of the above-mentioned articles, not to encourage and not to permit on their respective territories the formation or the activity, 1) of organizations or groups, whatever their denomination, which have as their object the struggle against the government of the other Contracting Party by means of violence, insurrection and outrages; 2) of organizations or groups assuming the role of the government of the other party or of part of the territory likewise with the object of fighting by the above mentioned means against the government of the other Contracting Party, of prejudicing its peace and security or making attempts on its territorial integrity.

This series of treaties reached its zenith in the pact of non-aggression with France of November 29, 1932, which was

intimately related to the general pact of August 27, 1928, for the renunciation of war.

The era of "militant pacifism," of the U.S.S.R. began about 1927-1928, and coincided with the international and formal negation of war as an instrument of national policy. The idea was suggested in April, 1927, by M. Briand in connection with relations between France and the United States. On September 24, 1927, the League Assembly adopted a Polish resolution against wars of aggression. On December 28, 1927, Secretary Kellogg proposed to M. Briand that the agreement in project between France and the United States should be made multilateral, and on August 27, 1928, the pact was signed. With Russia's adherence to this agreement on September 29, 1928, her policy of militant pacifism was in full sweep.

A decisive argument for a thorough revision of old Communist conceptions which added strength to the trend begun in 1927 was the first big success of the Nazis in the 1931 elections to the Reichstag with its menace to the continued existence of the Weimar Republic. The policy of maintaining the *status quo* in international and external relations was formulated by M. Litvinov, in a speech before the Central Executive Committee of the U.S.S.R. on December 4, 1929, as "the defense of the accomplishment of the Revolution of October against foreign aggression."

In the history of Soviet foreign policy there was a second period of disarmament and security discussions after 1927. This was divided from the first by the Kellogg Pact of August, 1928, and began with the opening of the Disarmament Conference in February, 1932. The conference did not reach any decision—let alone signing a convention—although during its two years of life it gave place to protracted debates on disarmament and to an interchange of views and ideals concerning requirements of different states.

During this conference M. Litvinov, representing the Soviet Union, showed in a high degree the sincerity and élan which

is necessary to a Great Power faced as it was by concrete international dangers. The Soviet delegation had begun by offering the most radical proposal, total universal disarmament; but it did not decline any compromises and partial decisions in which it was supported by France. Litvinov showed the tendency to substitute collective security for total disarmament in order to come to a concrete decision, in view of the appearance of states "whose rulers had quite openly sketched out a program of conquest of foreign territories" (Germany and Italy).

Summing up more than two years' work of the conference, Litvinov stated at the meeting of May 29, 1934, that the conference was led in the long run into a blind alley because it was unable to find any real approach except the formal and pedantic:

But the Soviet delegation [he said] continued to have in mind a wider conception of the Conference, as being intended by means of disarmament to bring into being one of the guarantees of world peace. Consequently, the question was not that of disarmament itself, since that was only a means to an end, but that of guaranteeing peace. And, since that was so, the question naturally arose, could not the Conference feel its way towards other guarantees of peace; or, at any rate, might it not increase the measure of security for at least those states which, cherishing no aggressive designs, were not interested in war, and which, in the event of war, might become only the objects of attack? ⁷

Half a year after the rise of Hitler to power the Soviet Union ignored the ominous internal changes in Germany and ratified on May 5th the extension of the previous Soviet-German treaties of 1926 and 1929 concluded with the Weimar regime, and complemented her treaties of neutrality and non-aggression with a form of treaty (July 3, 1933) containing a new definition of aggression. This convention was signed also

⁷ See *Minutes of the General Commission of the Conference for the Reduction and Limitation of Armaments*, League of Nations, Geneva, 1936, Vol. 3, p. 659.

by Afghanistan, Estonia, Latvia, Persia, Poland, Rumania, and Turkey. Under better international conditions and more extensive participation of the Western powers this instrument would have been of greater importance and merit.

The significance of this pacifist policy was emphasized by withdrawal of Germany and Japan from the League. The Soviet approach to the League was now aided by the earnest desire of France to strengthen the League by Russia's entrance. The adherence of the Soviet Union to the League was preceded by certain negotiations at Geneva. The Russians first asked for a military alliance with France. This request was not easy to satisfy, particularly because of the existence of the Locarno Treaty of October 16, 1925, in which, together with Great Britain, Germany, and Italy, France was an active partner. The Locarno Pact was always considered by the Soviets as a treaty aiming at the isolation of Russia. Instead, it was suggested that the Soviet Union should first enter the League and that an "East European Locarno" should be concluded afterwards to include the Baltic states and Finland, Czechoslovakia, Poland, Germany, the U.S.S.R., and indirectly, France. The British government joined the French in trying to induce Germany and Poland to sign the pact. The latter both showed unwillingness to agree, and the U.S.S.R. decided to join the League first.

The pourparlers culminated in the dispatch of an invitation to Moscow signed by thirty states. In the reply signed by Litvinov we find the following:

The U.S.S.R. is willing to respond to it, and become a member of the League, occupying therein the place due to itself, and undertaking to observe all the international obligations and decisions binding upon members in conformity with Article 1 of the Covenant.

In its resolution of September 15, 1934, the Council of the League decided "in virtue of the powers which it derives from Article 4 of the Covenant, to appoint the Union of Soviet

SOVIET FOREIGN POLICY IN THE WEST

Socialist Republics to be a permanent member of the Council as soon as its admission into the League of Nations has been agreed to by the Assembly." By resolution of September 18, 1934, the Assembly of the League "admitted the Union of Soviet Socialist Republics into the League of Nations."

The entrance of the Soviet Union into the League on September 18, 1934, was but the logical result of earlier developments. It is noteworthy that in his speech on this same day, September 18, 1934, before the Fifteenth League Assembly, M. Litvinov said:

In order to make our position quite clear, I should like further to state that the idea in itself of an association of nations contains nothing theoretically unacceptable for the Soviet State and its ideology. . . . As to the peaceful coexistence of different social-political systems at a given historical stage, we have advocated it again and again at international conferences. . . . The invitation to the Soviet Union to join the League of Nations may be said to represent the final victory of this principle. The Soviet Union is entering into the League today as a representative of a new social-economic system, not renouncing any of its special features, and—like the other states here represented—preserving intact its personality.

Nevertheless, the ideological *volte-face* was spectacular. The government which on November 8, 1917, immediately after the Bolshevik revolution, in the name of progress and socialism called on the class-conscious workers of England, France, and Germany to put an immediate end to the war for the sake of peace and "the cause of liberation of the laboring and exploited," fifteen years later completely reversed its intentions and entered the international scene not as a leading revolutionary power, but as a permanent member of the League Council, sitting with the bourgeois representatives of the other great powers.

The attitude of other states to the tremendous change in Russia's policy toward the League was not one of entire trust in the intentions of Russia. Indirectly, this was indicated by

the United States in connection with the representation of the Communist party of the United States at the meeting of the Seventh Congress of the Communist International in 1935, when Ambassador Bullitt presented a special note of protest, dated August 25, 1935, to the Acting People's Commissar for Foreign Affairs at Moscow. Reference was made to the pledge given by the Soviet Government on November 16, 1935, not to interfere in the internal affairs of the United States. The reply of the Soviet Government was handed to the American Ambassador on August 27, and a statement by the Secretary of State indicating an attitude of watchful waiting was released on August 31, 1935. The Seventh Congress of the Comintern in 1935 was its last.

Among statements of officials of the Soviet Union, Stalin's interview with Duranty in 1935, and his report in 1939 to the Eighteenth Congress of the Communist party on the Central Committee's activities are important. They do not, however, offer a binding statement of the attitude of the Soviet Union, because they were not made by the Minister of Foreign Affairs, but by Stalin, and, in the case of the report, were made for domestic consumption. In the Duranty interview, published in the *New York Times* of December 25, 1933 (see also *Izvestia*, January 24, 1934), Stalin was asked the question, "Is your position in regard to the League of Nations always a negative one?" He replied:

No, not always and not under all circumstances. You perhaps do not quite understand our point of view. Notwithstanding the withdrawal of Germany and Japan from the League of Nations, or, perhaps just because of this, the League may become something of a brake to retard the outbreak of military actions or to hinder them. If this is so, and if the League could prove to be somewhat of an obstruction that could, even to a certain extent, hinder the business of war and help in any degree to further the cause of peace, then we are not against the League. Yes, if historical events follow such a course, then it is not impossible that we should support the League of Nations, in spite of its colossal defects.

Not much more enthusiastic is the explanation given by Stalin to the Communist party congress five years after the entrance of the Soviet Union into the League:

Together with that, the Soviet Union decided to take some other steps in order to strengthen its international position. Toward the end of 1934 our country entered the League of Nations taking into consideration that in spite of its weakness it still might be useful as a place for the unmasking of aggressors and as somewhat a tool of peace although a weak one which could hinder the outbreak of war. The Soviet Union is of the opinion that in the present disquieting times even such a feeble organization as the League of Nations should not be neglected.

Litvinov showed much more faith in and even enthusiasm for the League than the Chief of the Executive of the Union. Notwithstanding that more vehemence and radicalism is usually expressed on the rostrum of the Soviet Parliament than before the League, Litvinov nevertheless declared in a speech before the Congress of Soviets of the U.S.S.R., on November 28, 1936, after the outbreak of the Spanish civil war:

Our collaboration with other countries and our participation in the League of Nations are based on the principle of the peaceful coexistence of two systems—the socialist and the capitalist—and we consider that the latter includes the Fascist system.⁸

However, the actions of the Soviet Union were marked by sincerity and by the élan which is necessary to a great power faced as it was by concrete international dangers. At first, the League's defects were emphasized, especially in relation to its executive functions under Articles X, XVI, and XVII of the Covenant. This critique was a carry-over from the romantic period before Russia's entrance into the League. But dogmatism soon yielded to reality, and the Soviet delegates took a line of full support of the League. In his famous speech at the sixteenth plenary session of the League on the indivisibility

⁸ M. Litvinov, *Vneshn'aya politika SSSR* (The Foreign Policy of the U.S.S.R.), Moscow, 1937, p. 177.

of peace, on July 1, 1936, after the occupation of Abyssinia, Litvinov invoked those very Articles X and XVI which a few years previously had been the chief ground of Soviet attack on the League. He said:

We are told to get back into the League at all costs those States which left it just because they regarded the Covenant, Articles X and XVI, and sanctions, as obstacles to their aggressive plans. And so we hear it said: ". . . let us reject collective security, and then the ex-members of the League might return to our fellowship and the League will become universal." In other words, let us make the League safe for aggressors. I say we do not want a League safe for aggressors. I say we do not want that kind of League, even if it is universal, because it would become the very opposite of an instrument of peace.

I am far from idealizing the Covenant. Its imperfection lies not so much in its articles as in its reservations and obscurities . . . Article XVI must remain intact. Economic sanctions must continue to be obligatory for all members of the League.⁹

This critical and yet sincere adherence to the idea of the League found most noteworthy expression in Litvinov's speech to the Assembly of the League of Nations (nineteenth ordinary session) on September 21, 1938, when the tragic end of Czechoslovakia's independence was near. The spirit of his arguments had nothing in common with the Soviet foreign policy of 1917-1921. The League now appeared not as an imperialist instrument of capitalist states, but as a truly international body for safeguarding peace.

It must not be forgotten that the League was created as a reaction to the world war and its countless horrors; that its object was to make that the last war . . . and to replace the systems of military alliances by the collective organization of assistance to the victim of aggression. In this sphere the League has done nothing. Two States—Ethiopia and Austria—have lost their independent existence in consequence of violent aggression. A third State,

⁹ Maxim Litvinov, *Against Aggression: Speeches*, New York, 1939, pp. 41 and 43.

China, is now a victim of aggression and foreign invasion . . . and a fourth, Spain, is in the third year of a sanguinary war. . . . The League of Nations has not carried out its obligations to these States. At the present time, a fifth State, Czechoslovakia, is suffering interference in its internal affairs at the hands of a neighboring State, and is publicly and loudly menaced with attack.¹⁰

Litvinov gave vehement support, in letter and spirit, to Articles X and XVI of the Covenant. He declared in the name of the Soviet Union that, being bound to Czechoslovakia by a pact of mutual assistance,

we intend to fulfil our obligation under the pact and, together with France, to afford assistance to Czechoslovakia by the ways open to us. Our War Department is ready immediately to participate in a conference with representatives of the French and Czechoslovak War Departments.

Toward the end of his speech he became clairvoyant:

To avoid a problematic war today and receive in return a certain and large-scale war tomorrow—moreover, at the price of assuaging the appetites of insatiable aggressors and of the destruction or mutilation of sovereign States—is not to act in the spirit of the Covenant of the League of Nations.¹¹

As will be seen later, Soviet retreat from tendencies manifest since 1928, and conspicuously shown in word and deed from 1935 to 1938, began shortly before the outbreak of the Second World War and coincided in time with the disappearance of Litvinov from the Soviet arena between 1939 and 1941, a period of the closest friendship between the Soviet Union and Germany. An outward expression of the changed situation at this stage was the exclusion of the U.S.S.R. from the League of Nations in December, 1939, after its aggressive war against Finland.

¹⁰ *Ibid.*, pp. 117 ff.

¹¹ *Ibid.*, p. 130. (Italics ours.)

National Self-Determination

Soviet foreign policy made most effective use of the principle of self-determination, especially of smaller nations; and in this the internal and the foreign policies of the Soviet Union agree completely. Under the symbol of national self-determination Soviet Russia won its important victories in internal and international relations. It is therefore not surprising that one of the first acts of the Soviet regime was the issuance on November 2/15, 1917, of a "Declaration of Rights of the Peoples of Russia," which proclaimed the right of free self-determination of the peoples of Russia, "including the right to secede and form an independent state."

It need hardly be said that this principle contrasted strikingly with the policy of the Czarist regime, which did everything in its power to suppress Russia's awakening national (or rather ethnic) minorities, and they were described in the statutes as "allogeneous peoples."¹²

The Soviet Declaration of Rights of the Peoples demonstrated a friendly attitude toward national minorities; but the governmental structure of the Union remained centralized and unitary. Not until later was the centralized pattern replaced by federalization based on the principle of self-determination of the various peoples. On January 24, 1918, the All-Russian Congress of Soviets resolved that the Russian Soviet Republics should be remodeled as a "free union of free nations in the form of a federation of national Soviet republics." The resolution was later included in the first Soviet constitution of July 10, 1918, and in the constitution of December 5, 1936—Article 17 of which reads: "To every Union Republic is reserved the right freely to secede from the U.S.S.R." This new state structure was more than the usual federation of provinces and areas. For the first time in history the constituent peoples of this huge empire became

¹² See p. 80.

partners in a common creative state life. A federal association was set up, of territorially organized cultural and ethnic units with guaranteed national self-determination. Moreover, the rights of minorities and their cultural development in each territory were guaranteed. Without such a continuous and consistent reconstruction the Soviet Union would have lacked legal and moral justification for the principal tenet of its foreign policy. The internal policy described exerted a magnetic effect on discontented minorities outside the western borders who were ethnically related to Russian peoples, similar to that exerted by Piedmont in the liberation of Italy.

For example, education in Soviet Ukraine, a constituent part of the Soviet Federation, was in Ukrainian; and its academies of science and the arts, theaters, operas, etc., all were framed on the lines of broad national self-determination. Inevitably, such a Ukraine was a center of gravity for Ukrainians living in Poland, who were deprived of such rights and opportunities. And Soviet White Russia, Soviet Armenia, and other republics exerted a similar attraction on minorities outside their borders.

The principles of international order and free self-determination were proclaimed as basic to Russian foreign policy in statements made at the Peace Conference of Brest-Litovsk. A declaration of December 22, 1917, at this Peace Conference by A. Joffe, the plenipotentiary of the R.S.F.S.R., said:

1. No forcible union of territories conquered during the war shall be permitted.
2. The political independence of peoples who have lost their independence during the war shall be restored to the fullest extent.
3. National groups which before the war were not politically independent shall be guaranteed the possibility of deciding by referendum the question of belonging to one State or another or enjoying political independence.

The Central Executive Committee of the Soviets, on January 2, 1918, stated:

We now declare that the Russian revolution remains faithful to the policy of internationalism. We defend the right of Poland, Lithuania and Courland ¹³ to dispose of their own destiny, really, freely. Never will we recognize the justice of imposing the will of a foreign nation on any other nation whatever.

From 1917 to 1921, during and shortly after the Civil War, self-determination was the main feature of Soviet foreign policy. In the effort to tranquillize its foreign relations Soviet Russia moved toward recognition of the right of secession of peoples living in territories to the west and the east, acquired by Imperial Russia mostly during the eighteenth and nineteenth centuries. The first such step—concerning the republic of Finland—was taken on December 20, 1917, as follows:

In reply to the Finnish government's communication concerning the recognition of the independence of the Finnish Republic, the Council of People's Commissars in full conformity with the principle of the nation's right to self-determination decreed:

To make proposal to the Central Executive Committee: (a) to recognize the independence of the State of Finland.

The peace treaty with Finland was concluded almost three years later, on October 14, 1920.

As to Poland, Soviet Russia, ignoring a similar act of the Russian democratic provisional government of March 30, 1917, published a decree on August 28, 1918, solemnly annulling the treaties of 1772, 1793 and 1795 that had partitioned Poland, and all subsequent treaties up to 1833 that affected Poland. This decree, recognizing the full independence of Poland, was signed by Lenin and Karakhan and was communicated to Germany on October 3, 1918.

A vague declaration recognizing the independence of Georgia was made on May 26, 1918; and it was repeated in more binding form in Article 13 of the supplementary treaty to the treaty of peace between Russia and the Central Powers,

¹³ At that time under German occupation since 1915; later included in Latvia.

signed in Berlin on August 27, 1918. The full independence of Georgia was recognized by Russia two years later.

After the Civil War the first treaty based upon self-determination was the treaty of peace with Estonia, signed at Tartu on February 2, 1920. Treaties with the other Baltic states followed: with Lithuania, at Moscow on July 12, 1920; and with Latvia, at Riga on August 11, 1920. The treaties ended the war between the national armies of these countries and Soviet Russia and terminated the provisional Soviet regimes within them.

The Baltic peace treaties expressed Soviet Russia's generosity and its intention to confirm the cession of important maritime areas of three countries which had for two centuries been connected with Russia by many ties. The newly created states obtained *de jure* recognition in identic clauses declaring that by virtue of the principle proclaimed by Soviet Russia—establishing the right of self-determination for all peoples, including even the right to separate themselves completely from the state of which they formed a part—Soviet Russia unreservedly recognized their independence. Moreover, the treaties declared that no obligations whatsoever based on their former adherence to Imperial Russia should devolve upon the newly created countries. The new frontiers were defined, and joint commissions of demarcation were set up. Provision was made in all three treaties for the exercise, on both sides of the frontier, of the right to opt nationality for a limited period, and also for the amnesty and repatriation of prisoners. Soviet Russia surrendered all claims to the transfer of property or to the value thereof, and renounced all state rights in real and personal property. It undertook furthermore to restore as far as possible libraries, archives, museums, art objects, historical documents, rolling stock, and church bells which had been removed to the interior of Russia during the war.

In consideration of the damages suffered by the three countries during the war, and specifically because of German

invasion and occupation, certain cash reparations were granted by Russia: to Estonia fifteen million gold rubles; to Latvia four million, and to Lithuania three million.

The geographical situation of the three Baltic states and their position as buffer states between Russia and Germany complicated their diplomatic relations with both East and West. Their economic significance was also considerable, since Latvia and Estonia, and to some extent Lithuania, were main maritime entrepôts and railroad termini for Russian trade with Europe and America. Typical of this relation was Latvia, which in the first decade of her political independence, 1918-1928, concluded 214 treaties, conventions, and agreements, and 64 general collective treaties.¹⁴

Less generous was the relation of Soviet Russia to Georgia. The doctrine of self-determination was applied with particular clarity in the relations of the Russian Socialist Federated Soviet Republic with the states of the Near East. The treaty of friendship between Persia and the R.S.F.S.R. of February 26, 1921, is typical. In Article I of this, Russia declares: "The whole body of treaties and conventions concluded with Persia by the Czarist government which crushed the rights of the Persian people, is null and void." In the treaty between the R.S.F.S.R. and Turkey, signed at Moscow on March 16, 1921, the following was provided: "Realizing the connection which existed between the national movements of the peoples in the Near East and the struggle which was being waged by the proletarian masses in the R.S.F.S.R., the contracting parties solemnly recognize the right of the people in the Near East to be free and independent."

On September 18, 1934, the day of the entry of the U.S.S.R. into the League, M. Litvinov addressed the Assembly, using the federal structure of the Soviet Union as one of the best

¹⁴ G. Albat, *Recueil des principaux traités conclus par la Lettonie avec les pays étrangers, 1918-1928*, Vol. 1, Riga, 1928, pp. 311 ff.

demonstrations of a full harmony between its constitutional framework and its international ideas and purposes:

In order to make our position quite clear, I should like further to state that the idea in itself of an association of nations contains nothing theoretically unacceptable for the Soviet State and its ideology. The Soviet Union is itself a league of nations in the best sense of the word, uniting over 200 [100] nationalities, thirteen of which have a population of not less than one million each, and others, such as Russia and the Ukraine, a population running into scores of millions. I will make so bold as to claim that never before have so many nations coexisted so peacefully within a single State, never before have so many nations in one State had such free cultural development and enjoyed their own national culture as a whole and the use of their own language in particular.¹⁵

At the Inter-Allied Meeting held in London on September 24, 1941, the Soviet ambassador Ivan M. Maisky made a statement in which he said in part:

The Soviet Union has applied, and will apply, in its foreign policy the high principle of respect for the sovereign rights of peoples. The Soviet Union was, and is, guided in its foreign policy by the principle of self-determination of nations. . . . [In its internal policy concerning nationalities] it is guided by the same principle which, in fact, embodies recognition of the sovereignty and the equality of nations in its dealings with various nationalities embraced within the frontiers of the Soviet Union. Indeed, this principle forms one of the pillars on which the political structure of the U.S.S.R. is built.

In the concluding part of the statement, into which a slight hint concerning the then fresh absorption of the three Baltic states can be read, the Ambassador stated:

Considering that the practical application of these principles will necessarily adapt itself to the circumstances, needs and historic peculiarities of particular countries, the Soviet Government can

¹⁵ League of Nations *Official Journal*, Special Supplement No. 125. Records of the fifteenth ordinary session of the Assembly, Geneva, 1934, p. 67.

state that a consistent application of these principles will secure the most energetic support on the part of the Government and peoples of the Soviet Union.¹⁶

Lastly, at the San Francisco Conference in May, 1945, in the matter of creating international trusteeships, the Soviet Union suggested that all colonial peoples placed under the new world security organization should have the opportunity to achieve full national independence in accordance with the principle of self-determination. To the text of the American proposals on trusteeship (paragraph 2), according to which the basic objective of the trusteeship should be "to promote the political, economic and social advancement of the trust territories and their inhabitants and their progressive development toward self-government," the Soviet representatives, supported by the Chinese, proposed to add: "and self-determination with active participation of peoples of these territories having the aim to expedite the achievement by them of full national independence."

Between International Planning and National Security

From the beginning of the Soviet regime, but especially after the consolidation of the R.S.F.S.R. in 1923, the weight of its existence as a great power produced its own national psychology, ideology, and political impetus. Lenin's Marxism, when imposed upon the Communist idea of a universal proletarian society, necessarily cast Russia in the role of an energetic champion of a socialist world order. In this first phase, statements like the appeal of Trotzky to the toiling people of Europe, of December 6/19, 1917, after the armistice of

¹⁶ Miscellaneous No. 3 (1941), Cmd. 6315, London, H.M. Stationery Office, 1941, pp. 5, 6. Compared with the Russian original in the official Soviet collection *Vneshn'aya politika Sovetskogo Soyuza v period Otechestvennoi Voiny* (The Foreign Policy of the Soviet Union During the Fatherlands War), Vol. 1, Moscow, 1944, p. 146. The words in the brackets are mentioned in the Russian text but are omitted in the English translation.

Brest-Litovsk, were inevitable. This appeal reads in part as follows:

The German, Austro-Hungarian, Bulgarian, and Turkish workers must set against the imperialistic program of their ruling classes their own revolutionary program for the agreement and collaboration between the laboring and exploited classes of all the countries.

The liberation of Belgium, Serbia, Rumania, Poland, Ukraine, Greece, Persia and Armenia, can be achieved not by the victorious imperialists of one of the coalition but by the revolutionary workers of all the belligerent and neutral countries in the victorious struggle against all the imperialists.

To this struggle we are calling you, the workers of all the lands. There is no other way. . . . Toiling humanity should repudiate itself and its future if it continued further to submissively carry upon itself the yoke of the imperialistic bourgeoisie.

We, the Council of People's Commissars, . . . are calling on you to rise in a common struggle for the immediate end of the war on all fronts.

Here revolt against the ruling classes and the carrying out of their "own revolutionary program" was proclaimed as a moral duty of the workers of Germany, Austria-Hungary, Bulgaria, and Turkey. On the other hand, the Soviet state and the Russian revolution had to "remain faithful to the policy of internationalism." In this phase Russia was only the "mother-country of socialism," and was to be defended as such by the working classes of Russia and of the whole world. The best characterization of this first period was made by one of the leading Soviet-Russian authorities on international law, Professor Eugene Korovine, who said:

The workers' and peasants' government has never pretended to be a national state in the sense of a holy bourgeois union. On the contrary, it emphasized in all its international relations that its domination was built on a class structure.¹⁷

¹⁷ Eugene Korovine, *Sovremennoye mezhdunarodnoye publitchnoye pravo* (The Contemporary Public International Law), Moscow, 1926, p. 23.

The second phase, which developed gradually and came to fruition around the early 1930's, led to an entirely new conception of the essence of the Soviet Union. As the hopes for a universal revolution faded by reason of the stabilization of the European countries in the period 1925-1930, and as the hopelessness of crushing stabilized capitalism and bourgeois order by revolutionary violence became apparent, the *defense of the Soviet Union as a state*, endangered by aggressors, was made a duty of the population. This led to a rehabilitation of simon-pure patriotism, and at long last, to a reconstruction of a somewhat moderate Russia.

These developments cannot be ignored in a survey of international relations of contemporary Russia. From the viewpoint of a defensive patriotism and the security of the Soviet Union, a viewpoint which increasingly prevailed, particularly after the rise of Hitler to power, it is only natural that Soviet foreign policy grow more conscious of aggression and acquisition of territory through conquest.

Litvinov's famous "definition of aggression" was not the first Soviet definition of aggression. The first was made in 1917, and is found in the statement made by the Russian delegation at the Brest-Litovsk peace conference as follows:

In accordance with the right of all peoples living in Russia to self-determination, including even separation, the population of these districts will be given an opportunity . . . of deciding . . . the question. . . . In this connection, the presence of any troops apart from national or local militia in the territories which are voting, is not permissible. Our standpoint is that only such a manifestation of will can be regarded as a *de facto* expression of the will of the people as resulting from a free vote taken in the districts in question with complete withdrawal of foreign troops.

The same principle is expressed in the resolution of the Central Executive Committee of the Soviets of January 2, 1918, where the refusal of Germany and Austria to guarantee immediately and irrevocably the removal of their troops in

the occupied countries of Poland, Lithuania, and Courland, and a part of Livonia and Estonia, was especially criticized. The same principle was repeated sixteen years later in Article 3 of the U.S.S.R. Convention for the Definition of Aggression, of July 3, 1933, as follows:

No considerations of a political, military, economic, or any other nature, can serve as an excuse or justification of aggression.

With its entrance into the League of Nations the Soviet Union left its utopia behind. The Union was stabilized both politically and socially. War and aggression could not be a means of national policy for the Soviet Union. As a tremendous Eurasian power which had not fully finished its internal program of social reforms, which had still to settle urgent and difficult questions of agrarian and industrial production, of unanswered needs of mass consumption, of housing and welfare, the Soviet Union was, and had to be, moderate and conservative.

After suffering defeat in its fidelity to internationalism and universalism, the Soviet Union took the line of local and provisional solution in order to secure its *status quo*, and therefore ceased its fanatical adherence to universalism of the League. Never was Litvinov so sincere, and never did he depict so perfectly the Soviet Union's need of security as when he said in his speech of September 28, 1936, at the Seventeenth Plenary Session of the League, "I prefer a league without universalism to universalism without the League principles." A similar idea appears in his speech of 1936, on the indivisibility of peace:

I would rather have a League of Nations that tries to render at least some assistance, even if it proves ineffective, to a victim of aggression, than a League of Nations that closes its eyes to aggression and lets it pass unperturbed.

To this period belongs the Convention for the Definition of Aggression, already quoted, according to Article 2 of which

a state will be considered an aggressor if it is the first to make a declaration of war against another state, or to effect an invasion by armed forces, "even without a declaration of war, of the territory of another State."

Especially after the withdrawal of Germany and Japan from the League, and up to 1939, the Soviet Union was completely committed to the League. In the first phases of Soviet foreign policy the Union did not differentiate between democratic and fascist states. In the primitive concept of alternation between black and white, light and darkness, socialism and capitalism—victory and defeat were the only possibilities. This pairing off was the basic feature of the early Russian political approach to Europe and made impossible a *modus vivendi* with the capitalist world. But from 1926–1927 the Soviet Union, forsaken in outer darkness by Germany, came gradually to see that the overthrow of capitalist governments and the triumph of world communism was a dream not immediately realizable. In the following period, Soviet Russia endeavored to move closer to the Western powers, a process which was complicated by their old suspicions. A *modus vivendi* was eventually reached, and loyalty to the League became a new feature of the Soviet Union's foreign policy. Together with it came also the distinction between capitalist democracies and capitalist dictatorships and the challenge to an empty League universalism. Paradoxically enough, the converted Soviet neophytes appreciated the cleavage in Western society much before the original members of the League. This found expression in the "local nonaggression and security treaties" which have already been enumerated.

* * *

During the 1920's the Soviet Union had been in a much better position than any other country to measure the extent of German preparedness for war. It had observed the consequences of Germany's defeat in 1918 and its gradual return

behind the curtain of the Weimar democracy to the old militaristic ways. It was within the very borders of Soviet Russia that Germany had taken the first steps toward military revival, production of arms and rearmament. Many German officers and military experts, rendered jobless at home by the Versailles Treaty, found a field of employment in Soviet Russia. This was the time when Germany and Russia, both outside the League, were united not only in the partnership of exclusion, but also in actual political friendship, as expressed in the Treaty of Rapallo of April 16, 1922, and the Treaty of Berlin of April 24, 1926. Social, economic, and psychological ties between the two countries were also very close.

With the rise of Hitler to power, and especially after the abrupt withdrawal of Germany and Japan from the League in October, 1933, it was natural that the Soviet Union should seek in the League an ally against these avowed enemies and should endeavor, as party jargon put it, to "unmask" the aims of Germany. German diplomacy still wore the mantle of Stresemann and played the role of a suppressed country claiming only equality of rights in the family of nations, and stressing its sincere love of peace and its readiness to come to an understanding with the other powers if only its "conception of honor" were propitiated. Nevertheless, Germany rejected the proposal of Barthou, on June 27, 1934, that it participate in an Eastern Pact of Mutual Guarantee. To equality of arms, Germany preferred the creation of an air force (March 1, 1935) and the reintroduction of compulsory military service (March 16, 1935). Thence resulted the agreement of mutual assistance between France and the Soviet Union of May 2, 1935.

Fascist Italy not only attacked Ethiopia after token demonstrations of the British Navy in the Mediterranean, and similar inadequate measures, but she claimed the right to intervene in Spain to prevent the alleged setting up of an independent Catalan Republic. What, however, was of much greater imme-

diate concern to the Soviet Union was the meeting of Mussolini and Hitler in September, 1937, at which it was made clear that the willingness of Italy and Germany to live at peace with the Western powers was essentially dependent not merely on the grant by these of the fullest equality, but also on a minimum opposition to Bolshevism; in brief, the Western powers must participate in some measure in the campaign against Bolshevism, and must recognize the Franco regime in Spain.¹⁸

To the British and French weakness in the face of Italian attack on Ethiopia was added the reluctance of England and France, the allies of Russia, to stem the aggression of Nazified Germany, which was made clear in the unopposed reoccupation of the Rhineland on March 7, 1936; in the unopposed annexation of Austria in March, 1938; in the Munich Pact of September, 1938, to the preparation of which Soviet Russia was not even invited to attend,¹⁹ and in the attempted annihilation of Czechoslovakia in March, 1939. Inevitably, the task of maturing the uneasy collaboration of the West with the Soviet Union into an alliance was adversely affected.

All these events naturally produced a notable change in Russian feeling. Mistrust of bourgeois Europe rose anew. Reliance on partial and local treaties took the place of collective action with the League. Russian mistrust of the West was heightened by fears for its own security, especially after Britain and France showed reluctance to allow Russia to use bases and airfields in the Baltic states. All these were presumably the factors leading to the conclusion of the famous treaty of nonaggression with Germany of August 23, 1939, which made the Second World War possible. The subsequent

¹⁸ Arthur Berriedale Keith, *Speeches and Documents on International Affairs, 1918-1937* (with an Introduction), Vol. I, London, 1938, p. li.

¹⁹ On this Sumner Welles, *The Time for Decision*, New York, 1944, p. 322, has the following to say: "The agreements of Munich confirmed the conviction of the Soviet government that the western powers strove to keep Germany from the west only by turning her to the east."

mutual assistance agreements with the three Baltic states, of September and October, 1939, granting to Russia naval bases on the Baltic, were a direct corollary of this policy of self-preservation. The protocol on the renunciation of war, of February 9, 1929, and the nonaggression pacts of 1932, were regarded as not offering sufficient security.

The agreement with the Baltic states safeguarded the sovereignty of the signatories and stipulated that their internal political and social order should remain inviolate. These principles were repeated in the speech of V. Molotov to the Fifth Extraordinary Session of the Congress of the U.S.S.R. on October 31, 1939, with solemn emphasis on the "radical difference between the policy of the Soviet Government and the policy of Czarist Russia which brutally oppressed the small nations and denied them every opportunity of independent national and political development."

Foreign Policy During World War II

The war with Germany placed the Soviet Union in an entirely new position. In the first phase of the Second World War, the Soviet Union reverted in part to its original foreign policy. The Union now appeared as a speciously impartial socialist onlooker of "just another imperialist war" between bourgeois states. It was without official sympathy for either group, and the attitude to the struggle against fascism was officially declared to be a matter of taste.

With the entrance of Soviet Russia into the war all this was abruptly changed. Even prior to the conclusion of the new agreements with Britain and the United States, Russian participation in the war was officially regarded as making her a partner of the democratic states. The struggle was no longer an imperialist war. It now became a second war to defend the fatherland, the first having been the war of 1812 against Napoleon. Thus the entire perspective of Russian policy—

domestic as well as international—veered basically from all earlier points of view.

On July 12, 1941, Russia concluded an agreement with Great Britain for mutual aid, providing that “they will neither negotiate nor conclude an armistice or treaty of peace except by mutual agreement.” However, a second Anglo-Russian Treaty²⁰ was concluded on May 26, 1942, at London. According to Mr. Molotov, “this treaty signifies and contains much more than the Anglo-Soviet agreement of last year. The treaty of May 26, 1942, marked a new and important stage in the development of Anglo-Soviet relations on the basis of alliance and mutual military assistance against our common and irreconcilable foe both of today and of the future [in Europe].”²¹ In an address to the Moscow Soviet on the twenty-fifth anniversary of the October Revolution, November 6, 1942, Stalin referred to this treaty as marking a “historic turning point.”

The treaty constituted a definitive official act of association with the coalition of states constituting the United Nations, fused ideologically and politically in common adherence to the Atlantic Charter. It also involved assent to the Joint Declaration by the United Nations, dated January 1, 1942. No particular claims were made by the Soviet Union as due to it in its character as a socialist state. On the contrary, for it as for the other United Nations, the four freedoms of the Atlantic Charter were the common denominator of the war effort and the peace also.²² Neither under the United Nations Declaration of January 1, 1942, nor under the Anglo-Soviet

²⁰ Published in White Paper *Russia Number One*, 1942, and announced to the House of Commons June 11, 1942.

²¹ Speech of Molotov, People's Commissar for Foreign Affairs, *New York Times*, June 12, 1942.

²² B. Stein, in his article on the Atlantic Charter in *War and the Working Class*, No. 9, May 1, 1944, warns that the broadening of the discussions around the Charter may be dangerous for the unanimity of the Allies. On the other hand, he emphasizes that at the time the Charter was formulated in August 1941, it was impossible to predict what would happen in the next three years of war. He quotes Cordell Hull's expression that the Charter is

Treaty of May 26, 1942, was there room for a special approach based on ideological differences. The struggle against Germany did not, as in 1918, find Soviet Russia in military and diplomatic isolation from the West. In the Second World War she was a juridically equal and a politically leading member of a democratic coalition.

The important treaty of May 26, 1942, was concluded for a term of twenty years, to cover the period during which the work of political, social, and economic reconstruction was to be carried on. The emphasis on the common task of reconstruction presupposes at least a common approach to basic problems. It is difficult to say what the term "like-minded states" in Article III, Part Two, of the Treaty means; but, if read together with the phrase "common action to preserve peace" to be taken "after termination of hostilities," it cannot be merely a description of a temporary identity of aims or signify partnership only for the purpose of making war on a common enemy.

The foregoing interpretation finds confirmation in Article V of the treaty, which states that both parties "agree to work together in close and friendly collaboration after reestablishment of peace for the organization of security and economic prosperity in Europe." This appears to involve full collaboration in the political and the economic field. While the treaty of August 23, 1939, with Germany, was in effect, the Soviet Union's effort was devoted to avoidance of the conflict between two imperialist camps—the Axis on the one side and the democratic Anglo-French capitalistic states on the other. It was hoped this conflict would end with their mutual annihilation to the benefit of the *tertius gaudens*, their triumphant successor.

During the period of the Soviet Union's neutrality the war

not a code of laws. It must be reshaped, taking into consideration especially the need for an organization of international security after the defeat of Germany—a task not even mentioned in the Charter. But the author recognizes that the principles of the Charter are vital and just.

had been looked on as a "second imperialist war" that did not concern it; but the treaty of May 26, 1942, signified that the war had in fact an entirely different character. In this treaty, in contradistinction to that of July 12, 1941, joint military action was of secondary importance—indeed no new treaty would have been necessary for this purpose—as the preamble indicates; collaboration in the task of reconstruction on the basis of the Atlantic Charter was the basic feature of the agreement.

The agreement of June 11, 1942, between the United States and the U.S.S.R., was of a similar character, making the Atlantic Charter again the basis of a common program of purposes and principles. One of the most important tasks of this treaty was defined in Article 7 as "the betterment of worldwide economic relations"—a task which could not be fulfilled by cooperation in the war effort alone, but postulated prolonged collaboration after the war as well. There also appeared in Article 7 the provision for participation in a common action of "all other countries of like mind."

The special conventions by the Soviet Union with the so-called governments-in-exile of Poland, Czechoslovakia, and with Fighting France, were no less important. In making them the Soviet Union assumed its share of responsibility, with Great Britain and other members of the United Nations, for the restoration of those countries. Soviet Russia's previous expulsion from the League presented no barrier in this respect. By recognizing the governments-in-exile, she implemented the principle of international law that belligerent occupation does not transfer the sovereignty of the occupied state, and acted in full accord with the spirit of the Covenant of the League of Nations.²³

For Poland, the eastern parts of which had been occupied by the armies of the Soviet Union, such a recognition was of

²³ F. E. Oppenheimer, "Governments and Authorities in Exile," *American Journal of International Law*, Vol. 36, p. 571 (Oct., 1942).

special significance: the Soviet Union recognized that the Polish government-in-exile was the lawful sovereign of the formerly occupied territories, and in any case that Poland, despite its lack of free territory, was a fighting power with which diplomatic relations might be maintained and obligations contracted (Article 2 of the Treaty).

The complexity of the last period of Soviet foreign policy is connected with the necessity of establishing an alliance with the United States of America and Great Britain in the flux of war. Under the extraordinary circumstances of the Second World War the Soviet foreign policy could not continue along the usual lines of international treaties with former "pillars" of the imperialist camp, such as America or Britain. Soviet Russia found herself in face of a growing organization of United Nations among which she was one of the big three—or big four, if China should be recognized as the fourth leading power despite her specific dissonances with the U.S.S.R.

It cannot be denied that the polarity of the basic incentives, mentioned at the beginning of this chapter, continues to work. If the contrariness between the need to safeguard the stability and security of the Soviet state, on the one hand, and the willingness to overthrow the political and social order of the world, on the other, has not yet lost its significance, still the overwhelming task of the conduct of war has demanded such a degree of close cooperation that war and peace in an equal measure have been made objects of common decision. When on May 26, 1942, the U.S.S.R. and Great Britain concluded their treaty for a period of twenty years, neither was fully aware how closely they bound their destinies to each other, not only in matters of warfare but for all purposes of a future reconstruction of international relations. At that time of successive German military gains, particularly on Soviet territory, all questions of rehabilitation and organization of peace were of second, if not of third, importance; and this, in spite of the

wording of Article 3, Part Two of this treaty, which runs as follows:

The high contracting parties declare their desire to unite with other like-minded States in adopting proposals for common action to preserve peace and resist aggression in the postwar period.

If this treaty was a historic turning point it was historic less in its text than in the fact that it was concluded. The common conduct of war and a common deliberation of problems of the future postwar period demanded, particularly after the entry of the United States into the war, a detailed participation in all questions of military, diplomatic, technical, organizational, economic, and relief character, which could not have been foreseen in the early stages of the common war as objects of common and united regulation.

In the early period of Soviet Russia's participation in the Second World War it may have seemed to her that the necessary contact between herself and her bourgeois Allies would be approximately along the political and diplomatic lines on which a quarter of a century earlier Czarist Russia had conducted the First World War with her partners. Such a relative political seclusion may have seemed even desirable for the Soviet Union out of old political prejudices and apprehensions against the bourgeois West, of which Britain and the United States still remained the most typical representatives.

But during the twenty-five years not only did the Russian Empire turn into the U.S.S.R. but the very character of the war basically changed. In 1914-1918 problems of a total war were only slightly felt. Basically, in spite of all contacts and negotiations, in spite of the very lately established Supreme War Council and Unified Command, the individuality and sovereignty of each great power dominated over the common cause of war. This new total character of war became more

important than the changes of the internal regimes or even the tremendous technical progress of armament production and war. In 1914-1918 the governments of all countries, particularly those of Great Britain, the United States, Russia, France, and Italy, were guided by their separate economic and financial requirements; and the countries were much more isolated at that time than now. There was certainly contact and collaboration between the Allies, but at bottom each country remained financially insulated, with an independent economy. Loan treaties and loans were the most frequent form of economic contact. It is true that an Economic Conference was held in Paris, in June, 1916, after the Allied governments had decided to put into practice, in the field of economics, their solidarity of view and interests. But this solidarity was very incomplete²⁴ and was mainly confined to measures for the conduct of economic war. It might be rightly said that the conference showed that "if a unity of views existed among the Allies on questions of war economic policy, it entirely vanished as soon as questions of postwar policy were touched upon."²⁵ This became clear when the conference had to pronounce its attitude to the question of depriving enemy countries of the status of most favored nation, as suggested by France.

There is now, in this war, a much greater degree of economic interdependence both in economic warfare and in postwar policy. The Soviet Union could not avoid these new conditions, and it is therefore much more bound to and interwoven with the new networks of international relations than its predecessor, Czarist Russia. A new system of economic co-operation has been developed, the most important element of

²⁴ See *Conférence Economique des Gouvernements Alliés tenue à Paris les 14, 15, 16, et 17 juin 1916*, Paris, 1916.

²⁵ Baron Boris E. Nolde, *Russia in the Economic War*, New Haven, 1928, pp. 166-167.

which is the exchange of weapons, munitions, materials, food, and other types of commodities on lend-lease, and reverse lend-lease.²⁶ The U.S.S.R. became a party to the lend-lease agreements in June, 1942. Needless to say that the lend-lease aid which it has received in commodities, ammunition, and arms of all kinds, from the two English-speaking nations is simply incomparable with the modest amounts of goods which Soviet Russia could have expected to receive from them on the usual basis of international treaties. The institutional framework of the United Nations, among which the Soviet Union is a leader, is not well developed, but it is growing and asking gradually a broader scope for consultation and decision among the United Nations. And it is certainly inevitable that should such an organization be fully established it will be available not only for the conduct of the war, but also for a more or less long transitional period from war to peace.

In connection with these developments the foreign policy of the Soviet Union became increasingly more conditioned by external factors.

In the meantime Russia was compelled to go through a period of deadly struggle and suffering in which ties with Britain and the United States were established, but no real and sufficient inner contact was initiated. From the end of June, 1941, through the early months of 1943, Russia stood relatively alone, helped in important ways but without actual and daily collaboration. During this period the war in Russia became gradually more national and patriotic, and the demands for a second front became more and more persistent and vociferous. Meanwhile Germany, the former teacher in socialism and good neighbor during twenty Soviet years, and ally from August, 1939, until June, 1941, became the terribly hated foe. The period of relative estrangement ended in the fall of 1943, with the splendid victories of the U.S.S.R. and the great

²⁶ J. B. Condliffe, *Problems of Economic Reorganization*, 1943 (Commission to Study the Organization of Peace), pp. 18, 19.

retreat of the German armies after the collapse of the greatest German military effort.

On the other side, this was the period of consolidation of Anglo-American friendship leading to a more or less all-embracing coincidence of the "Anglo-Saxon" outlook on war and on Soviet Russia's role in it and in the forthcoming post-war period. This time of transition worked for the two camps in opposite directions toward one and the same end. The Russian foreign policy in full harmony with its internal policy became narrower, more national; British and American foreign policy became more League-conscious, more international.

It was the autumn of 1943 before the two parties met, half-way, to lay down principles and measures for a new general international organization to maintain peace and security. The Moscow declaration of the Big Four, and the Teheran Conference became the turning points. They included the Soviet Union in a common planning of the conduct of war and the restoration of peace with the bourgeois leading powers of the capitalist world.

The participation of the Soviet Union in international bodies of the Big Three (Four) of the United Nations, and especially in the European Advisory Commission, led to broad international decisions. The following facts are the best evidence of the growth in cooperation during 1943 between the Soviet Union and the other United Nations: the successful Food Conference at Hot Springs, in June; the participation of Soviet Russia in the United Nations Conference at Atlantic City which set up the United Nations Relief and Rehabilitation Administration (UNRRA), in November; the establishment of the Military and Political Commission consisting of representatives of the United States, Great Britain, the U.S.S.R. and the French Committee of National Liberation at Algiers, in September; and finally, the Moscow and Teheran Conference, in November-December. In 1944 the Soviet Union took prominent part in the monetary and financial conference at

Bretton Woods (July), in the International Business Conference at Rye (November), and in the Dumbarton Oaks Conference; and finally it participated in the San Francisco Conference (April-June 1945).

One of the most important agreements of the Moscow Conference was the Joint Four-Nations Declaration, which provided not only for united military action but also for "establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving States and open to membership by all such States, large and small, for the maintenance of international peace and security."

After the Moscow Conference Stalin, in his report to the Moscow Soviet on November 6, 1943, formulated the policy of the Soviet Union regarding the future democratic organization of Europe thus:

Together with our allies we ought to do the following:

- 1) liberate the European nations from the Fascist conquerors and help them in the restoration of their national States dismembered by Fascist enslavement—the nations of France, Belgium, Yugoslavia, Czechoslovakia, Poland, Greece and other states now under the German yoke—in order to make them free and independent;

- 2) give the liberated nations of Europe the full right to choose their own form of government;

- 3) take all measures for the severe punishment of and revenge for all monstrous crimes committed by all the Fascist criminals, wherever they may hide, who are guilty of unleashing the present war and of causing suffering to populations;

- 4) establish an order in Europe that will preclude any new aggression by Germany;

- 5) create a durable economic, political and cultural cooperation of European nations, based on mutual trust and mutual help, in order to rehabilitate the whole economy and culture destroyed by the Germans.²⁷

²⁷ See the review, *Mirovoye Hozyaistvo i Mirovaya Politika* (World Economy and World Politics), No. 12, December 1943, article by J. Lemin, "The Fascist Crisis and the Consolidation of the Anglo-Soviet-American Coalition."

Probably the general lines and designs for a desirable universal organization of international relations differ more from Soviet foreign policy, which is conditioned by the fact that the U.S.S.R. is a tremendous Eurasian subcontinent with specific needs, than from any other country's foreign policy. Russia, from the second half of the eighteenth century (Catherine the Great) down to Nicholas II, was very generous in questions relating to great world politics: armed neutrality, international relations, and peace. But foreign policy connected with relations to her neighbors was an entirely different thing. Here, naturally, state interests, and ambitions for security and possible enlargement, prevailed; Soviet Russia was the heir and successor to Czarist Russia. Each in its time, independently of internal regime, is correctly described as the most continental of all the powers.

The declaration of armed neutrality (1780) was made and carried out by Catherine II. The aim of this declaration was to secure the freedom of the seas and to protect the interests of neutral maritime commerce, which was infringed chiefly by England, during the American Revolution and the subsequent War of 1812.

A second important instance of broad international measures was the participation of Russia in the Holy Alliance after the defeat of Napoleon; and the last and most important was the Hague Peace Conferences of 1899 and 1907. They were initiated by Nicholas II in a circular letter of August 28, 1898, addressed to all diplomatic representatives residing in St. Petersburg, the official aim being "to put an end to the unceasing armaments race and to seek the means of preventing the evil which threatens the whole world." This was the most illuminating case in which broad international progressive initiative went hand in hand with domestic tyranny.

However, a much more stubborn thing than blueprints or even conventions on lines of universal international policy is the national foreign policy of every country, in which ideological consistency is not a virtue. Many statesmen and writers

have seemed to think that this is untrue of the Soviet Union. Here, in common opinion, radical ideology dominated the whole field of foreign policy.

Sazonov, one of the most reasonable and civilized statesmen of the declining Czarist regime, Minister for Foreign Affairs in the first half of the First World War, wrote in his reminiscences, about the effect of the Bolshevik revolution on Russia's foreign policy: "It needed a Marxian revolution to destroy the Russian people's sympathy with a nationalist policy."²⁸

This may have seemed to be true in the 1920's, although even then there were symptoms to the contrary; but after 1934 and particularly after the entrance of Russia into the Second World War, it became obvious to all whose eyes were open that in the long run the obligatory Marxist ideology of the Soviet revolution was powerless to destroy the nationalist sympathies of the population. Moreover, universalism "degenerated" into plain patriotism and national pride in the foreign policy of the Soviet Union. The national interests of Soviet Russia became the only indicator for the basic lines of political demands, whether neighbors or more distant countries were concerned.

There is therefore a very great difference between the first period of the Russian Soviet regime (1917-1922) and its following stages. In the first period the Soviet Union not only recognized the independence of a series of states built on the soil of Czarist Russia but was proud of doing so and made out of it an important point of propaganda against inquisitive imperialism. In the peace treaties with the new Baltic states and Poland one paragraph was included by which the R.S.F.S.R. solemnly renounced all ties and claims which might be considered to arise out of its "geopolitical" identity with Imperial Russia: "The fact of the past subjection of . . . to Russia does not impose on the . . . nation and its territory any

²⁸ Serge D. Sazonov, *Fateful Years, 1909-1916*, New York, 1928, pp. 249-250.

liabilities whatsoever toward Russia." But even after 1922-1923 and almost to 1939 Russia made no pretensions to reconquering or absorbing the so-called border states or border provinces, with the single exception of Bessarabia, whose absorption by Rumania was never recognized by the Soviet Union.

It must be stated that this "waiver of the heritage" on the side of Soviet Russia was viewed sympathetically in the border states, in which Russia's former domination had left some bitter memories. Here the middle strata of the population and the peasantry, although far from accepting Communism, were sure that there would be no onslaught from Russia upon their independence as long as that country was ruled by the Soviets. Any other regime, they looked upon as dangerous for their independence. This firm conviction of the majority of her neighbors alone made it possible for Soviet Russia to have normal international relations along her whole western borders from the Baltic to the Black Sea. Even the mutual assistance agreement of September-October, 1939, concluded between the Soviet Union and the Baltic states during the calm before the storm (after the conclusion of the Soviet-German pact of August 23, 1939) aroused no serious suspicion in the Baltic populations. One article typical of these agreements stating, "The entering into force of this pact shall in no way infringe upon the sovereign rights of the contracting parties, particularly their economic and social system and political structure," was taken more or less at face value. The naval bases and airfields granted on their soil to Soviet Russia were considered as real territorial and political islands or enclaves aimed—over their heads—at Germany, the hereditary foe of all the Baltic peoples.²⁹

But in the second half of the thirties, after the experience with the victorious Hitlerite *coup d'état*, and the catastrophic failure of the whole German labor front, after the entrance

²⁹ See the section following.

of the Soviets into the League, after the experience of the Spanish Civil War, and lastly after Germany's "peaceful" annexations down to Munich, Soviet Russia began to revise more and more its old tenets and to take back its generous waiver of its heritage.

In so far as Russia's internal policy cannot be divorced from her foreign policy, the alterations of the former had to overtake the latter. Rehabilitation of national history (including the current history) meant therefore also foreign relations. In so far as universal social evolution did not materialize, Soviet Russia retreated to prepared positions, which was particularly necessary under war conditions. A Civil War of 1918-1920 may have been inspired by the tenets of a social revolution although it included the ousting of foreign armed forces, including those of America, Great Britain, and France; but a Second World War in which these same countries suddenly appeared as the allies of the Soviet Union could under no circumstances be conducted according to the tenets of 1917-1922.

A Revision of "Self-Determination"

The war made necessary a thorough revision of the attitude toward the self-determination of the new border states.

As we have seen, the foreign policy of Russia underwent basic change which cannot be judged on grounds of legality alone, nor of consistency. This applies equally to Soviet Russia in succession to Czarist Russia, and to the Soviet Union in the Second World War in succession to Soviet Russia of 1917-1939. Legalism, in the international field, lags far behind the unfolding facts of history.

From the viewpoint of the Czarist Russian Empire the creation of the new Baltic states from its territory, the secession of districts populated by White Russians and Ukrainians to Poland, and even the recognition of the independence of

Finland and Poland were acts of robbery, criminal prodigality, or high treason against Russia, despite any pacts and treaties or other instruments by which Soviet Russia bound herself. This was the view expressed more than once by the Russian "political delegation" which met in Paris after the armistice of 1918 and the downfall of the Russian Empire, consisting of representatives of old Russia among whom were foreign ministers and ambassadors like De Giers, V. A. Maklakov, and S. Sazonov. This delegation even attended a meeting of the Peace Conference by invitation.

The treaties and acts of Soviet Russia between 1917 and 1921 established on her western borders a new international law, recognizing the national aspirations of border peoples which acquired political independence or enlargement, or both. This law remained in effect for twenty years. Now the absorption of the Baltic states and reorientation of other new states that once formed part of Russia is unanimously taken by their peoples—especially by the upper strata—as a shameful violation of their centuries-old natural rights and recently recognized positive international rights.

During the Second World War the "first socialist country" has modified its theory of self-determination. Between 1920 and 1940 a change took place in which the interests of the Soviet Union as a world power gradually prevailed over ideological considerations. Every country held a specific significance related to its geographical, political, and social character. In some cases the Soviet Union renewed the claims and rights of Czarist Russia; in other cases old views were revised, and in still others pretensions which had not been made explicitly by Czarist Russia took on a broad, distinct national coloration. No longer does the principle of full self-determination extend over every country to the point of full secession from Russia. Finland, Estonia, Latvia, Lithuania, and Poland are no longer equal "algebraic" subjects endowed with rights of Independence as in 1917-1921; they have become, instead,

arithmetic units and specific cases which ought to be considered every one according to its own merits and peculiarities.

(a) FINLAND

The political attitude of Czarist Russia toward Finland could be described as teasing. In 1809, the then liberal Emperor Alexander I generously proclaimed Finland as a semi-independent grand duchy with himself as grand duke. However, the Diet of Finland did not meet for more than half a century. It was convened by Alexander II at Helsingfors in 1863, the year of the suppression of Poland's upheaval, during the period of the great Russian reforms. Peaceful constitutional development was short-lived: under Alexander III began the slow Russification which brought virtual abrogation of the legislative power of the Finnish Diet by the last Czar, Nicholas II. The autonomous army and separate monetary system of Finland were abolished at the beginning of the twentieth century. A long fight began against Russia—called the movement of passive resistance; and it culminated in the national strike of November, 1905, which coincided with the Russian revolution of 1905. A partial restoration of Finnish autonomy followed, with a democratic constitution and a parliament based on universal suffrage and full civic liberties. The short liberal intermezzo of 1906–1908 was followed by a second period of Russification with a view to liquidating the Finnish Home Rule, which culminated in the Imperial Legislation Act of 1910 passed with the help of the nationalistic factions of the Imperial Duma.

This political game created in Finland a hostility which found expression a few years later when Russia entered the First World War. It was then that some Finns voluntarily and illegally left Finland in order to fight against Russia in the German army. Finnish battalions were established in that army. These men looked on Germany as their avenger against Rus-

sian oppression. Thus, from the beginning of the twentieth century Germany had encouraged Finnish hostility to Russia. The policy was related to the German "cordiality" toward the Irish before and after the First World War; and both countries were put to important strategic use by Germany, then, as in the Second World War, against Russia and Great Britain.

In December, 1917, Lenin as the chairman of the Council of People's Commissars proposed to the Central Executive Committee recognition of the independence of Finland. But the presence of large Soviet naval and ground forces in Helsinki and other important towns and harbors of Finland, and some inner tensions, caused a war in which Germans under General von der Goltz took some small part against the Soviets. Here was a second precedent for a Finnish-German "brotherhood-in-arms," and Germany exploited it as the Salvation of Finland from the Red menace—a legend carefully nurtured by the German general staff under the Weimar regime and by the Nazi leaders.

The victory of Finland was followed in June, 1918, by an outbreak of White counter terror against the Reds. None the less, after the introduction of a new democratic constitution in 1919, a normal parliamentary life developed. A peace treaty with Soviet Russia was concluded in October, 1920.

The outbreak of the Second World War was connected with the general tendency of the Soviet Union to secure naval bases and outlets, not only in the Baltic states but also in Finland.³⁰ The basic demands of Russia went beyond mere naval bases and included withdrawal by Finland northward from Leningrad on the Karelian Isthmus and cession to the U.S.S.R. of Hanko and the surrounding district on the Finnish Gulf. The negotiations in October and November were without positive results and were interrupted by a Russian note to

³⁰ M. Molotov, in his speech to the Supreme Soviet on Oct. 31, 1939, associated the situation of Finland with that of the Baltic states.

Finland claiming that artillery fire suddenly was directed from Finnish territory against Soviet troops near the border. Diplomatic relations were severed, and war broke out soon after.

The Soviet Union was condemned as an aggressor by the Assembly and the Council of the League of Nations and was excluded from membership in December, 1939. This action was, to a certain degree, the expression of politically natural sympathies for Finland.

After a relatively short war, a treaty of peace between Finland and the U.S.S.R. was concluded in Moscow on March 12, 1940. Under the treaty, Finland lost the whole of the Karelian Isthmus, the important harbor Viipuri with a number of islands, and the northern shore of Lake Ladoga. The Petsamo area remained Finnish.

Of an entirely different character was the second war with the Soviet Union (beginning in autumn 1941) in which Finland was the cobelligerent of Germany without otherwise resembling the satellite states Hungary and Rumania, which were ideologically homogeneous with Nazi Germany. Democratic Finland had a record of long, persistent and finally successful resistance to Czarist oppression in spite of some anti-democratic tendencies, particularly in the Lapua Movement and in conservative groups connected with the military struggle of 1917-1920. In all the years up to the war of 1939-1940, the Diet presented the whole political spectrum of the country, from the extreme right to the Communist left, despite the fact that the Communist party as such was officially dissolved as early as 1924.

It was clear from the beginning that public opinion in Finland would not rally to a second war against the Soviet Union even if Russia were at war with Germany; but pressure exerted by numerous German garrisons and by special Nazi agents and envoys prevented any active resistance to the pro-Nazi attitude of the Finnish government and its close adherents.

In 1941 Finland decided to join Germany in the war against the Soviet Union. The aid of Finland was of great value to the Germans, because the Finns could interfere with the shipment of American and British supplies to Russia through Murmansk and Archangel, and take part on the Karelian Isthmus in the campaign against Leningrad and its district. At the beginning of November, the United States issued a diplomatic warning to Finland in a message from Under Secretary of State Sumner Welles stating that "the Soviet Government was prepared to negotiate a new treaty of peace with Finland which would involve the making of territorial concessions" to that country.³¹

The situation of Finland became more and more involved. On one hand German pressure was exerted, and on the other the superficial idea of revenge was nurtured by the pro-Hitler rightists. Britain's threat to declare war against Finland (simultaneously with Hungary and Rumania) was carried out in December, 1941. It ended in an open break of Finland with the West and presaged the doom of a pro-Nazi Finland if she went through thick and thin with her mighty German ally.

With the steady deterioration of the financial, economic, and food situation, and with defeat of Germany already looming, President Ryti began his second term in March, 1943, by hinting at the principles of the Atlantic Charter and underlined in his address the defensive character of Finland's war by saying:

In our opinion, every nation, however small it may be, has a right and—if it wants to continue independent life—the duty to defend itself against all attacks, from wherever they come. . . . We have perhaps with greater determination than any other small nation fought for our freedom and independence during these years. Had we not done so, we would no longer exist.³²

The extreme peril in Finland's position caused its conserva-

³¹ *New York Times*, Nov. 8, 1941.

³² *New York Times*, Mar. 2, 1943.

tive and partly pro-German cabinet to consider proposals by the Soviet Union in the winter of 1944 in spite of Ribbentrop's injunctions and warnings. These proposals were made in February and in March. The proposals of March modified the original conditions by relinquishing Russian demands for a lease of Hanko but insisting on the return of Petsamo. The reparations originally asked, amounting to \$600,000,000, might be paid in paper, cellulose, ships, and tools over a five-year period.

Basically the rejection of the Soviet armistice terms in spring, 1944, can be explained by the attitude of the Finnish rightists, headed at that time by Prime Minister Edwin Linkomies. These elements contended that Germany might not lose the war, and that the war might end in a compromise. They also maintained that the peace question was taken up not on Finland's own initiative, but because of pressure by Western powers and Sweden, in view of the fact that those countries generally would be in a better position if Finland quit the war.³³

The demands of the Soviet Union—even if not completely expressed in the last armistice terms of September 19, 1944³⁴—that Finland break off her cultural and political ties with the Scandinavian states, cannot be taken at their face value. Finland cannot divorce herself from her two Scandinavian neighbors—particularly from Sweden. The very bases of Finnish political culture and historical growth, particularly since the early decades of the nineteenth century, have always been connected with Swedish cooperation, despite some periods of jealousy and mutual tension.

³³ *New York Times*, Apr. 23, 1944.

³⁴ These terms were signed by the U.S.S.R. and the United Kingdom on behalf of all the United Nations "that are in a state of war with Finland." According to Art. 6 "the validity of the peace treaty concluded between the Soviet Union and Finland in Moscow on March 12, 1940, is restored with alterations following from the present agreement." The Finnish Diet approved the acceptance of the armistice terms in secret session, and they were published on Sept. 20. Cf. *Bulletin of International News of Royal Institute of International Affairs*, London, Sept. 30, 1944.

In this connection the roles of the Swedish minority in Finland and of the German minorities in Latvia and Estonia differ widely. The difference is not a quantitative one—although Swedes in Finland constituted about ten to twelve per cent of the population while the Germans in the two Baltic provinces never exceeded six per cent or so—but a qualitative one: Swedes in Finland belonged not only to the dominating gentry; there were always poor Swedish peasants, fishers and workers and white-collar intelligentsia. Swedes shared with Finns in the struggle against the Czarist regime; Swedes participated in the Finnish labor movement and radical and dangerous onslaughts on the Russian State and its local representatives. In contrast, the Baltic German minority of Latvia and Estonia belonged almost wholly to the landed gentry and town patricians. The Baltic Germans not only did not fight against Russian despotism but, using their contacts with the Russian Imperial Court, tried to strengthen their social and political domination over the Estonians and Letts. Besides, the Swedes of Finland were constitutionally a second state nation but not a minority.

What the Soviet government might have meant is rather the rejection of former ideas of political alliances which tried to unite politically Sweden and Finland or even to establish a loose confederation of Fenno-Scandia and later of Scando-Baltica, that is, of Sweden, Norway, and Finland with Estonia, Latvia, and Lithuania.³⁵ But these plans were never taken seriously in the Scandinavian states or Finland although the

³⁵ Cf. *The Finnish Blue Book* (published for the Ministry for Foreign Affairs of Finland, Philadelphia, New York, 1940), pp. 10-11: "When relations between the Great Powers became strained, Finland already four years ago (1936) declared that she intended to work closely together with the group of Northern Countries and would with them remain absolutely neutral in the disputes between the Great Powers. Finland, which geographically forms a part of Fenno-Scandia, has since ancient times been firmly established within the cultural sphere of the Northern Countries." In Sweden M. Lindhagen, formerly mayor of Stockholm, was the promoter of the idea of Scando-Baltica.

anti-Russian character of such a nationalist idea is obvious.

The Russian terms including the cession of Petsamo to the Soviet Union appear reasonable when considered in the light of Finland's two wars against the Soviet Union. This was indirectly admitted by Britain, particularly in the speech of Prime Minister Churchill when he adopted Soviet Russia's view of having "right to reassurance against further attacks from the west," and by the United States in Secretary Cordell Hull's stern warning to the Finns to get out of the war at once, issued on February 9. This warning was given banner headlines in all Finnish papers.³⁸

However, it cannot be denied that the Soviet Union was much harsher toward the Baltic States and Poland than toward Finland. It demanded no changes in the inner social and political regime of Finland, and its readiness to compromise is particularly noteworthy because at the very beginning of the First Finno-Soviet War in 1939 it recognized a puppet government under Otto Kussinen, established in Terriyokki near the frontier, as the only government of Finland. This was later dropped by the Soviet Union, and the peace of March 11, 1940, was concluded with the legal Finnish government. Since that time the Kussinen government has never been revived.

Whereas the three Baltic states, after assurances by the Soviet Union of noninterference with their sovereign rights and political regimes, none the less were absorbed by it, and the tension between the Soviet Union and Poland over a period of more than two years culminated in a dispute about the kind of regime and government to be recognized as legal in Poland the Soviet Union demanded no such guarantees for the future political regime of Finland.

The Soviet Union showed the greatest restraint in its noninterference with the inner affairs of Finland. True, after the armistice was concluded, it sought to strengthen the influence of the Soviet Union and supported the Democratic Union of

³⁸ *Bulletin of International News*, London, July 8, 1941.

the Finnish people of which Juho Paasikivi was the honorary chairman, and which was composed of (1) left-wing Social Democrats who had conducted the parliamentary fight for armistice in the summer and fall of 1944, (2) the Communist party, and (3) the Small Farmers' party.

In March, 1945, regular democratic elections for the Diet resulted in a victory of the moderates and the bourgeois parties: the Left Union bloc won 51 out of 200 seats; the Rightists obtained 97 seats; the Social Democratic representation fell from 85 to 52.

After the elections a new cabinet under Paasikivi was formed on April 10, of which half (nine members) were adherents of the Left Union bloc, including four Communists with I. Laino as Minister of Internal Affairs; the other half consisted of less radical members friendly to the Soviet Union. The pro-German Rightists and the vehemently anti-Soviet Tanner group of the Social Democrats were not represented. Thus the composition of the Cabinet does not reflect exactly the party composition of the Diet. This can be explained by the fact that Finland, particularly in matters of foreign policy and inner reorientation, has passed beyond the stage where the number of seats a party holds in the Diet automatically decides its participation in the Cabinet.

The twenty-five-year-old anti-Russian and pro-German policy of Finland must be fundamentally revised. Its antiquated tendencies are in open contrast with the genuine democratic character of this northern country and with the new necessity of friendly relations with the Soviet Union.

(b) THE BALTIC STATES

The Baltic states were the first countries toward which the revision of the Soviet foreign policy concerning self-determination found full expression.

We already have seen how open and generous Soviet Russia

was in 1920 in the treaties of peace with Estonia, Latvia, and Lithuania, recognizing *de jure* as independent and sovereign states. An example of this is Article 2 of the peace treaty between Latvia and Russia dated August 11, 1920, which reads as follows: ³⁷

By virtue of the principle proclaimed by the Federal Socialist Republic of the Russian Soviets which establishes the right of self-determination for all nations, even to the point of total separation from the States with which they have been incorporated, and in view of the desire expressed by the Latvian people to possess an independent national existence, Russia unreservedly recognizes the independence and sovereignty of the Latvian State and voluntarily and irrevocably renounces all sovereign rights over the Latvian people and territory which formerly belonged to Russia. . . . The previous status of subjection of Latvia to Russia shall not entail any obligation towards Russia on the part of the Latvian people or territory.

The peace treaties of Soviet Russia with the Baltic states strengthened their legal status in the continued struggle for recognition *de jure* by the Western Allied powers. To the end of January, 1921, Latvia and Estonia received recognition *de jure* by the Inter-Allied Conference. The recognition of Lithuania was postponed, because the Vilna dispute had not yet been settled.³⁸

¶ In their democratic period (1920-1934) the relations of Latvia and Estonia ³⁹ with the Soviet Union remained stable. Although the Soviets were persistently suspicious of the real

³⁷ *League of Nations Treaty Series*, Vol. II, p. 213.

³⁸ For details of the recognition see my article "Recognition of Latvia" in the *American Journal of International Law*, Vol. 37 (April, 1943); the book, *The Baltic States: Estonia, Latvia, Lithuania*, prepared by the Royal Institute of International Affairs, London, 1938, and the splendid and exhaustive documentation in two volumes of Malbone W. Graham, *The Diplomatic Recognition of the Border States* (Berkeley, 1941): Pt. II, Estonia, and Pt. III, Latvia.

³⁹ Lithuania, following Italy and Spain, turned fascist as early as Dec., 1926, when Voldemaras, backed by reactionary officers, landowners, and industrialists, rose to power and established his dictatorship, followed by the dissolution of the Parliament and a harsh suppression of the opposition.

intentions of the Western powers and of Poland, and after 1933 of Germany's intentions toward the three new Baltic states, nevertheless the general relations remained neighborly. Nonaggression treaties were concluded by the Soviet Union early in 1932 with Finland, Latvia, Estonia. Even the establishment of agrarian dictatorship in Latvia and Estonia during 1934, after fourteen years of democratic parliamentarism, had no serious effect on their relations with the Soviet Union.

The Soviet Union, alarmed by the unexpected rise of Hitlerism and of German hostility to the League of Nations and to disarmament, tried in 1934-1935 to bring about an Eastern Locarno, the parties to which were to be Russia and Poland and the Baltic states and Finland. Later (March, 1934) Germany was proposed as a guarantor of the pact; but the Nazi government refused, giving the Baltic states every reason to reject a Soviet-Polish guarantee of their security. Finland already had done this.

But the failure of certain special alliances did not hamper the normal international intercourse between the Baltic states and the Soviet Union, particularly the conclusion of commercial treaties. Among these the commercial treaty of June, 1927, with the U.S.S.R. was of particular importance to the industry and trade of Latvia.

In the background of all diplomatic relations, however, there was from the very emergence of the new states the idea of an alliance or union of the Baltic states as a necessary prerequisite of their security. It became later the most important justification for the Soviet Union to absorb them. There existed the smaller scheme of the Baltic states proper including Estonia, Latvia, and Lithuania or even only the first two of them, and the larger scheme of Finland, Estonia, Latvia, Lithuania, and Poland. As a matter of fact a conference of the five Baltic states was convoked at Bulduri in August, 1920, upon the initiative of Latvia. On August 31, shortly after the conclusion of the Baltic peace treaties with Soviet Russia, a convention on political cooperation was signed by all five

states and a council of delegates of the Baltic states was established at Riga. However, not one of the Bulduri conference decisions was materialized, because the convention remained unratified as a consequence of the wanton occupation of Vilna, the historic capital of Lithuania, by the Polish forces under General Zheligovski in early October, 1920.

The second scheme, of an alliance of four Baltic powers (except Lithuania), seemed to be reachable at the Warsaw Conference of March, 1922, in the form of an agreement (Accord de Varsovie); but Finland refused to ratify this, and the idea of greater Baltic Union was dropped. The only treaty actually concluded between Baltic states was the treaty of alliance between Estonia and Latvia of November, 1923. Neither Lithuania nor Finland could be persuaded to join this alliance.⁴⁰ The Latvian-Estonian treaty was strengthened in February, 1934, by a treaty of defensive alliance. The attempt of Lithuania to share in the defensive alliance was rejected by Estonia and Latvia, from fear of becoming involved in the Lithuanian territorial disputes, with Poland over Vilna and with Nazi Germany over Memel (Klaipeda).

¶ In the treaties of autumn, 1939, as mentioned above, the political independence of the Baltic states was guaranteed by the U.S.S.R. in return for naval bases and airfields on their territory. But during the Finno-Russian War of 1939-1940, it became clear that the Baltic states would be absorbed ⁴¹ and

⁴⁰ See H. Albat's articles "Alliance of the Baltic States" and "Bulduri Conference" in *Latviesu Konverzācijas Vārdnīca* (Latvian Encyclopedia), Vols. I and II. The first article, written in 1928, notices that, while Germany gives some support to the Baltic alliance, "the U.S.S.R. on the contrary expresses its entirely negative attitude toward every kind of closer alliance of the Baltic states, regarding it as aimed against its interests." Albat was long Secretary General of the Latvian Ministry for Foreign Affairs.

⁴¹ In an article on "Russia's Aims on the Baltic" in the *Living Age*, Mar., 1940, I wrote that after the inevitable victory over Finland the next step of the U.S.S.R. would be "the sovietization or even the occupation of the Baltic States—Lithuania, Latvia and Estonia—where the Soviet Union has now established naval bases." This took place four months later, in June-July, 1940.

sovietized by Russia because they contained necessary outlets to the Baltic Sea for the economically growing Soviet sub-continent and because their exposure to the west made them buffers against Germany.

The conclusion of the Russian-Baltic pacts of autumn, 1939, was nevertheless ominously reminiscent of Russian and other colonial and imperialist practices of an earlier period. It could be accepted only as a precaution against an onslaught by Germany through Finland and the Baltic states. Such agreements required implicit confidence in the sincerity of the successors to the former Russian Empire. Among the peasants (the dominant majority) and the urban workers of the three Baltic states, and particularly of Latvia and Estonia, such confidence was strong. A second factor of great significance was the traditional hostility of Letts and Estonians to Germans, whom they had known in their seven or eight hundred years of history first as Teutonic aggressors, and later as a highly privileged, exploiting gentry, or as no less privileged Hanseatic⁴² urban patricians and brutal administrators. Therefore, despite the social abyss between the Baltic peasantry—whose land hunger was satisfied by the radical agrarian reform of 1920–1922—and communism, the Baltic farmers still preferred friendship with Russia to rapprochement with Germany. The farmers were sure that on the side of international relations and independence Soviet Russia—which had been first to recognize the independence of Estonia and Latvia—merited much more confidence than even a democratic Germany.

But with the onslaught of Germany on Poland a drastic change for the worse took place. On October 5, 1939, a Soviet-Latvian Mutual Assistance Pact was concluded, granting naval bases and airfields to the U.S.S.R. On October 12, the fascist

⁴² The maritime and commercial League of Hansa, established in the fourteenth century, united the northern German seaports—Lübeck at the top—with some ninety ports and other commercial cities of neighboring countries, including the Scandinavian Visby and Stockholm, the Livonian Riga and Reval, and the Russian Pskov and Novgorod.

Latvian leader Karlis Ulmanis proclaimed optimistically in a speech:

We saved ourselves from interference in the German-Polish war, we escaped from interference in the war between Germany and the great Western powers. . . . This treaty with a grand nation which we concluded in the spirit of mutual trust and good will gives us the guarantee to prevent the danger of war.

Significantly enough, an official Soviet brochure published in the following April, a few months before the occupation of the Baltic states, noted in very optimistic tones the Baltic-Soviet relations established after the conclusion of the three pacts of mutual assistance in the fall of 1939:

The difference between the political systems proved to be no hindrance to a fruitful cooperation of the Baltic states with the U.S.S.R. Despite all malicious and calumnious inventions of some organs of the foreign press, the U.S.S.R. in the concluded pacts interfered in no way in the affairs of Estonia, Latvia, and Lithuania.⁴³

Thus, granting of naval bases was not viewed as a first step to total annexation, and in his report to the Supreme Soviet on October 31, 1939, Molotov took pains to repeat that the Baltic countries were in no danger whatsoever of political annexation by Russia. He said:

The special character of these mutual assistance pacts in no way implies any interference by the Soviet Union in the affairs of Estonia, Latvia, and Lithuania as some foreign newspapers are trying to make out. On the contrary, all these pacts of mutual assistance strictly stipulated the inviolability of the sovereignty of the signatory states. . . . These pacts are based on mutual respect for the political, social, and economic structure of the contracting parties. . . . We stand for scrupulous and punctual observance of pacts on a basis of complete reciprocity, and we declare that *all nonsense about Sovietizing the Baltic countries is only to the interest of our common enemy of anti-Soviet provocateurs.* [Italics ours.]

⁴³ M. Zhirmunski, *Latviya* (Latvia), Moscow, 1940, p. 34.

But the realization of these fair promises was partly delayed and partly overshadowed by the outbreak of hostilities between Finland and Soviet Union, which eventually led to the Russo-Finnish war of the winter of 1939-1940. So little is known of the relations between the Soviet Union and Germany in the early stages of the Second World War, especially as they bore upon the Baltic basin, that final judgment must be withheld. In combined area (almost 200,000 square miles) Finland, Estonia, Latvia, and Lithuania were greater than pre-war Germany, although their population was only about 10,000,000. These regions, with near-by Sweden and Norway, constituted one of the important strategic sections of Europe. This geographic belt had been of great importance to Russia ever since the wars of Peter the Great with Sweden, and his foundation in 1703 of St. Petersburg as the epicentric capital of his Empire.

Significant inferences may also be drawn from the evacuation of the German minority from the Baltic states, where it had lived for hundreds of years. Characteristically enough, this took place a few months before their incorporation into the Soviet Union. Like the establishment of Soviet naval bases and airfields on the territory of the Baltic states, in October, 1939, the population transfer was apparently a part of an agreed scheme to guarantee Russian security in the Baltic. On October 15 and October 30, 1939, Germany concluded special treaties on this subject with Estonia and Latvia, respectively.⁴⁴

About the middle of June, 1940, Soviet Russia began the occupation of the Baltic states. The "nonsense about Sovietizing the Baltic countries" mentioned by Molotov in his speech of October 31, 1939, became "sense" and reality seven months later when these countries were absorbed after a fictitious election in each of them, with single candidate lists of the Communist party.

⁴⁴E. O. Helmreich, "The Return of the Baltic Germans," *American Political Science Review*, Aug., 1942, p. 711.

The situation was reminiscent of the quasi-parliamentary declaration of Baltic *Anschluss* with Imperial Germany engineered by the German occupation authorities with the help of the German local minorities in the First World War. Only the roles were reversed in this farce. The illegality of such proceedings had been made clear in the protests of the Soviet delegates during the peace conference in Brest Litovsk, and in the Litvinov definition of "aggression." This time, however, it was not the bourgeois Central Powers that organized the referendums or elections "in such manner that complete independence in voting" was not granted to the population. The elections in Lithuania, Estonia, and Latvia were organized and carried out, in the summer of 1940, under the prohibition of a free press and under the menace of the Soviet occupation army, in violation of the very principle laid down by the Russian delegation to the Brest Litovsk Peace Conference, which twenty-five years previously had declared:

The solution of the question regarding the fate of regions determining their own lot must take place under conditions of full political freedom and without external pressure. The voting must, therefore, take place after the withdrawal of foreign armies.

In the presence of the occupational Red Army more than nine-tenths of the electorate voted, and the legislatures elected by them resolved unanimously in July, 1940, to join the Soviet Union. The resolutions were forwarded to Moscow, and the incorporation was made a fact. The justification of this conduct offered by Molotov in a speech of August 1, 1940, was tenuous in the extreme. The pivotal point of his speech, which flatly contradicted the basic principles of the Soviet Union and its previous policy was the assertion:

It should be noted that nineteen-twentieths of this population previously formed part of the population of the U.S.S.R., but have been forcibly torn from the U.S.S.R. by Western imperialistic powers when the U.S.S.R. was militarily weak. Now this population has again been reunited with the Soviet Union.

This chauvinistic and rather imperialist Russian declaration ran counter to the whole Soviet ideology and diplomacy, and was an open repudiation of the 1920 peace treaties with the Baltic countries and of all the later conventions, treaties, and agreements. The newly created situation was not recognized by a number of European states, nor by the United States.

It remains only to add that the sole justification of the absorption of the three Baltic states made by the Soviet Union on the eve of this absorption was the ultimatum of June 16, 1940, addressed to the Latvian Minister to Russia, Kocin, but containing reproaches against all three Baltic states.

Demanding in its conclusion the establishment of a new government and free entry of Soviet troops into Latvia, this document reads:

On the basis of the material of facts at the disposal of the Soviet Government and also of the exchange of views which recently took place in Moscow between President Molotov of the Soviet of People's Commissars of the Soviet Union and Prime Minister Merkis of Lithuania, the Soviet Government considers it assured that not only has the Latvian Government failed to liquidate the military alliance with Estonia which was created before the conclusion of the Latvian-Soviet mutual assistance pact and was aimed against the Soviet Union, but has even extended this alliance by enticing into it Lithuania and is attempting to include in it also Finland. Until the conclusion of the Latvian-Soviet pact of mutual assistance in the fall of 1939 the Soviet Government could view casually the existence of such a military alliance, although as a matter of fact it was contrary to the pact of non-aggression previously signed between the Soviet Union and Latvia.

. . . Instead Latvia together with the other Baltic States has acted to revive and expand the above mentioned military alliance with the other Baltic States . . . to which testify such facts as the conversation of two secret conferences of the three Baltic States in December 1939 and March 1940 . . . the enhancement of relations between the general staffs of Latvia, Estonia and Lithuania secretly from the Soviet Union, the creation in February 1940 of a special organ of the military Baltic entente—the "Revue Baltique" . . .

All these facts go to show that the Latvian government has grossly violated the Latvian-Soviet Mutual Assistance Pact.⁴⁵

By the annexation of the Baltic countries in the summer of 1941, and by the subsequent Soviet constitutional reform of January, 1944, giving restricted diplomatic representation to them, the problem of the Baltic states is transferred from foreign policy to internal policy of strengthening the centripetal forces of federal Soviet Russia. This, however, does not mean that the problem has the same level or the same perspective for Russia's Allies—Great Britain and the United States. The recognition *de jure* of the Baltic states soon after their emergence by the two English-speaking powers, particularly by Great Britain, is not canceled by any juridical acts, and their diplomatic agents continue their functions. Moreover, among the United Nations some Latin-American states have not yet recognized the Soviet Union, although they have recognized the Baltic States. It is open to doubt, therefore, if Russia's absorption of the Baltic countries will be automatically and tacitly removed from the international forum.

(c) POLAND

1. *From the Restoration of Poland to the German Onslaught*

In contradistinction to Finland and the Baltic states Poland is in no sense a succession state of Russia. Poland's history began in the tenth century, and the country has always had closer connections with the West and political and spiritual intercourse with it than old Russia ever had. If the Tartars and Mongols symbolized for Russia the East, Poland and Livonia symbolized the West almost to the end of the seventeenth century. It was mainly after the breaking of the Tartar yoke (around 1480) that mighty Poland became for Muscovia the great problem of foreign policy and, at times through the

⁴⁵ See *Latvia in 1939-1942*, published by the Latvian Legation, Washington, D.C., 1942, pp. 106, 107.

centuries, even a problem of internal domination and policy. This was particularly true at the beginning of the seventeenth century, in the so-called Epoch of Confusion (1605-1613).

The election of young Michael Romanov, the founder of the last dynasty, as czar in 1613 was to a degree only a landmark in the liberation of old Muscovia from Polish military and political influences and intrigues. Later, Poland, Russia, and Sweden became the determining powers in Eastern Europe.

The period from the brutal partition of Poland by her three despotic neighbors (1772-1795) down to the First World War is the best proof of the overwhelming vitality of the natural law of self-determination against the positive international law based on the "normative fact" of conquest and oppression. Unfortunately, however, restored Poland, *Polonia restituta*, did not free itself after 1918 from romantic dreams of its past. Facing the almost unbelievable destruction of the empires of Russia, Germany, and Austro-Hungary which had confined the country through one hundred and twenty years of triple surrender and triple loyalty, the dominating classes of Poland hoped to begin where they had ended so long ago. In their eyes Poland had to become again a great power. The "Jagiellian" idea became attractive not only for the Polish landed aristocracy but even for some Polish democrats and socialists who combined with their moderate socialism a frantic nationalism. Only through this long cherished national feeling of a persecuted people can the subsequent history of Polish foreign policy be understood, in which the Rightists casually collaborated with the—otherwise—Leftist elements from the restoration in 1918-1919 down to the Polish government-in-exile of the Second World War.

W. Studnicki, one of the frankest Polish political writers, comments on the final aims of the foreign policy of renewed Poland:

At the beginning Poland nourished the hope of gaining influence in the Baltic States and turning them to herself. We desired

to create a union of Baltic states of which we, as a state on the Baltic coast, should be a member. We tried to win Latvia and Estonia to such a union as early as 1919, we helped Latvia in her struggle against the Soviets and we even ceded them traditionally Polish territory [six Polish parishes in the neighborhood of Uexkull on the river Dvina]. The union of the Baltic states should have represented a united commonwealth on the ruins of Russia. Liberated Ukraine, the Republic of Caucasus, Georgia, Azerbaijan and Armenia should have joined together into a similar union in the south. Both these unions, merging into one united bloc led by Poland, might have been a great power situated between Germany and Russia.

But this plan did not consider the fact that Poland had no allies among the European powers. France preferred an undivided Russia, England regarded us as a French colony and did not want to expand the French sphere, Germany did not wish politically to cooperate with us. The defeat of our military expedition toward Kiev [in 1920] entirely buried this our conception.⁴⁶

Nevertheless, even after the bankruptcy of the nationalist program-maximum, the principle of balance between Soviet Russia and Weimar Germany worked more or less well, with Poland's ties to France. For France, restored Poland to the east of Germany substituted to a degree for its submerged ally, Czarist Russia. But this alliance was displaced in January, 1934, by a ten-year pact between Poland and Nazi Germany. In the eyes of the "Poland of the colonels" (the Pilsudski-Beck regime) France had become much weaker in comparison with bellicose Germany than in 1920, when France had rescued Poland.

The Riga treaty between victorious Poland on one side and Russia and the Ukraine on the other, signed on March 18, 1921, established the Polish frontier far to the east of the so-called Curzon Line, which had been designed in 1920 as the basis of a purely ethnographic Poland excluding the predominantly Ukrainian districts in the south and predominantly

⁴⁶ W. Studnicki, *Polen im politischen System Europa's* (translated from Polish), Berlin, 1936, pp. 127-128.

White Russian districts in the north. The 1921 frontier was recognized in March, 1923, by the Conference of Ambassadors.

In general, however, it may be said that through the years 1921-1939 a firm equilibrium was achieved which confirmed the territorial borders between Poland and the Soviet Union.

It was a feather in Russia's cap to win the adherence of Poland, Rumania, and the Baltic states in February, 1929, to the so-called Litvinov protocol regarding renunciation of war. On July 25, 1932, Poland and the Soviet Union signed a treaty of nonaggression. The preamble to this treaty reaffirmed the Treaty of Riga (1921). Article 1 pledged each party to abstain from "any act of violence attacking the integrity and inviolability of territory or the political independence" of the other. In Article 3, each of the signatories undertook "not to be a party to any agreement openly hostile to the other." On July 3, 1933, a Convention for the Definition of Aggression was signed between the U.S.S.R. and her neighbors, Afghanistan, Estonia, Latvia, Persia, Poland, Rumania, and Turkey. Under Article 2, any state invading "by armed forces, even without a declaration of war, the territory of another State" is to be considered an aggressor. On May 5, 1934, the Treaty of Nonaggression between Poland and the U.S.S.R., which had been signed on July 25, 1932, was renewed until December 31, 1945. Among the declarations and statements, the Polish Foreign Minister (Colonel Beck) referred to the excellent relationship existing between Russia and Poland and to "the profound process of rapprochement" between them.⁴⁷ As late as August 31, 1939, at the session of the Supreme Soviet dedicated to the ratification of the Soviet-German pact of August 23, 1939, M. Molotov changed his tone toward

⁴⁷ A similar statement was made by M. Litvinov at the reception of Beck in Moscow, Feb. 14, 1934. See "Les Relations polono-allemandes et polono-soviétiques, 1933-1939," *Recueil de documents officiels*. République de Pologne, Paris, 1940, pp. 205-206.

Poland, stating that her attitude had been taken "according to the instructions of England and France."⁴⁸

After the successful onslaught of Germany against Poland a note was sent by the U.S.S.R. on September 17, 1939, to the Polish Ambassador in Moscow, in which we find *inter alia* the following:⁴⁹

The Polish-German War has revealed the internal insolvency of the Polish State. In the course of ten days of military occupation Poland has lost all her industrial districts and cultural centers. Warsaw as the capital of Poland, no longer exists. The Polish Government has disintegrated and shows no sign of life. This means that the Polish State and its government have virtually ceased to exist. Thereby the treaties concluded between the U.S.S.R. and Poland have ceased to operate. . . .

. . . In view of this situation the Soviet Government has instructed the high command of the Red Army to order troops to cross the frontier and to take under their protection the lives and property of the population of Western Ukraine and Western Byelo [White] Russia.

2. *After Russia's Entrance in the Second World War*

Entirely specific is the attitude of the Soviet Union to Poland. During an initial short "honeymoon" period of friendly relations between the Soviet Union and the Polish government-in-exile, an agreement between the U.S.S.R. and the Polish government was concluded on July 30, 1941, which restored diplomatic relations between the two governments. This agreement was followed by a Polish-Russian Declaration of Friendship and Mutual Aid of December 5, 1941. Two conventions belonging to this period also are noteworthy: the Soviet-Polish convention of December 31, 1941, concerning a loan of 100,000,000 rubles for help to Polish citizens living on the territory of the U.S.S.R.; the Soviet-Polish Convention on a

⁴⁸ Max M. Laserson, *The Development of Soviet Foreign Policy in Europe 1917-1942* (International Conciliation, 1943, No. 386), p. 33.

⁴⁹ *Ibid.*, pp. 86-87.

loan to the government of the Polish Republic concluded on January 22, 1942, by which 300,000,000 rubles was given to keep a Polish army on the Soviet territory.

These instruments aimed at close military cooperation and friendly relations between the two Slavic states. Such cooperation was particularly important because forces of the Polish Republic were stationed in the territory of the Soviet Union.

All that notwithstanding, continuous tension soon arose between the new allies, against a background of numerous mutual reproaches and clashes which date from Pilsudski's *coup d'état* of 1926 and the establishment of an aristocratic and military half-oligarchy later fixed in the constitution of 1935. Following the defeat of Poland, this constitution became the legal basis of the Polish Government-in-exile while the democratic Polish constitution of 1921 was renewed as the legal framework of the Lublin regime sponsored by the Soviets.

A series of social and political contrasts connected with the pro-German orientation of Poland in foreign relations, particularly after 1934, brought estrangement. For Soviet Russia the most important question remained whether or not, under war conditions and under the new government-in-exile, the old Polish orientation could be thoroughly altered. Of course the fact that for centuries the Poles in the eastern provinces, as a privileged landed aristocracy, had been a minority dominating the clergy, the higher administration, and the government of the cities, while most of the Ukrainians and White Russians became no more than serfs or dependent peasants, was of tremendous importance even for the present political situation. This was so much the more impressive and decisive because between 1919 and 1939, under a new Polish state, this domination over the heterogeneous farm population became oppressive to the point of using armed force. The abyss between the London Polish government-in-exile and the Soviet Union is at this point no less deep than the abyss between the Polish landed aristocrat attached to his land by

centuries of conservative and romantic tradition and the reckless revolutionary Bolshevik who perfected in a few months the expropriation of the entire Russian landed gentry in 1918. And although representatives of the Peasant and Socialist parties are members of the London government-in-exile, the anti-Soviet policy prevails, because even these members oppose Russia from the general political and purely nationalist points of view.

For Russia the most important question remained whether, under war conditions and under the new government-in-exile, the old Polish orientation could be thoroughly changed.⁵⁰ The question of the Curzon Line had been treated in some recent discussions as though it were the fundamental problem in the reestablishment of Poland and of Russo-Polish relations. This is, as we have shown, a wrong perspective. But although Poland east of the Curzon Line is dominantly White Russian in the north and Ukrainian in the south, a territorial compromise could nevertheless have been found if mutual trust had existed.

The tension between Poland and Russia reached its peak after the unfortunate blunder of the Polish government in appealing to the International Red Cross for an investigation of the alleged slaying of thousands of Polish army officers in the forest of Katyn, near Smolensk. German propaganda, by radio and press, asserted that after the discovery of a huge burial place at Katyn the conclusion was reached that the terrible massacre was committed by the Soviets. The Polish government found no other *modus procedendi* than to by-pass the Soviet Union, as if it had not been an ally which gave rescue, shelter, and food to hundreds of thousands of Polish refugees and helped in the reconstruction of the Polish Army.

As a result, the Soviet Union initiated a rupture of diplo-

⁵⁰ One of the London Poles, Edward Puacz, *Stosunki Polsko-Sowieckie* (Polish-Soviet Issues), London, 1943, pp. 8 and 11, writes that the Jagiellian idea of a Greater Poland reaching from the Baltic to the Black Sea is antiquated, and that modern Poland cannot defend this idea.

matic relations with the Polish government-in-exile, at London, on April 25, 1943. An exchange of notes between the two governments followed, in January, 1944; and in the Declaration of the Soviet Government of January 11, we find the following statement:

The Soviet Government does not consider the frontiers of the year 1939 to be unalterable. The borders can be corrected in favor of Poland along such lines that districts in which the Polish population predominates should be handed over to Poland. In such case the Soviet-Polish border could follow approximately the so-called Curzon Line which was adopted in the year 1919 by the Supreme Council of Allied Powers and which provided for the incorporation of the Western Ukraine and Western White Russia into the Soviet Union.

Poland's western borders must be extended through the joining to Poland of age-old Polish lands taken away from Poland by Germany, without which it is impossible to unite the whole of the Polish people in its own state, which thus will acquire a necessary outlet to the Baltic Sea.

The just striving of the Polish people for complete unity in a strong and independent state must receive recognition and support.

Despite the long deadlock after the rupture of diplomatic relations, there were clear indications of a compromise about the middle of June, 1944, before the decisive advance of the Russian armies into Polish White Russia, and after the visits to Moscow of pro-Soviet Polish political workers, Rev. Orlemanski and Professor O. Lange, and, on the other side, the visit of the Polish Prime Minister, M. Mikolajczyk, to Washington. The attacks of the Soviet press and of the Union of Polish Patriots in Moscow upon the Polish government were mitigated. Stalin declared to Professor Lange:

Russia thinks of Poland as a future ally. The Soviet Union does not want to interfere in Poland's political, economic and social system; this should be freely determined by the Polish people.⁵¹

⁵¹ *New York Times*, June 9, 1944.

One of the most vexing phases of the Soviet-Polish controversy was the participation of some radical anti-Soviet Rightists in the most important executive organs of the Government-in-exile. Among them the most odious was General Sosnkowski, against whom the Soviets repeatedly raised strenuous objections. It became known on June 29, 1944, that Sosnkowski, while retaining the military commanding functions, was removed as successor-designate to the Polish Presidency, and that a prominent Polish Democrat, still residing in Poland, was chosen to replace Sosnkowski.⁵²

Toward the end of July, 1944, after the Soviet and Soviet-Polish armies had crossed the frontier into Polish territory, the Soviet government proclaimed its intention to restore a strong, democratic, independent Poland. But now the Lublin Polish Committee of National Liberation came to the fore as an authorized representative of Poland. On July 8, 1944, a special agreement between the U.S.S.R. and this committee, on the administration of the liberated areas, was published in the *Izvestia*.

Meanwhile, the London Poles made some effort to effect a Soviet-Polish compromise. On August 3, Stalin conferred in Moscow with Mikolajczyk and his aids, and expressed the desire that discussions should take place also with the Lublin Committee. The committee accepted the Curzon Line as the definite border line, requesting from Mikolajczyk recognition of the 1921 democratic Constitution of Poland as the legal basis, instead of the semi-fascist Constitution of 1935, and simultaneously demanding the immediate beginning of an agrarian reform as the third postulate.

Other complications, in the military situation in and around Warsaw, culminated in the uprising of the Warsaw patriots. By October, the rift between Moscow and the Polish government-in-exile was developing dangerously. In the midst of confusion and attempted intervention which threatened to

⁵² *New York Times*, June 21, 1944.

create a serious difference among the "Big Three," it was announced that Prime Minister Churchill would visit Moscow to consult with Marshal Stalin. Churchill's views had been twice expressed, in February and in September, in speeches before the House of Commons. While placing reliance upon Premier Mikolajczyk's willingness to reach a friendly understanding and settlement with the Soviet Union, he gave British support to Moscow's claims of the Curzon Line on the ground that Russia was "entitled to safe frontiers and to have friendly neighbours on her western flank."

The Polish government-in-exile sought to conciliate Moscow by relieving General Sosnkowski of the post of Commander-in-chief, appointing as his successor Komorowski, the Commander of the Polish underground "Home Army" and leader of the Warsaw uprising. But he, too, was attacked sharply by the Lublin Poles. Premier Mikolajczyk's attempts to obtain from his government an agreement on the basis of the Curzon Line, compensating for the territorial losses in the east by addition of eastern parts of Germany, were unsuccessful. He resigned on November 24, and Jan Kwapinski was designated to form a new cabinet. Kwapinski's plan to create a new coalition including Mikolajczyk's Peasant party failed, and at the beginning of December a new cabinet under Tomasz Arciszewski, an old and very moderate Socialist, took office.

In the meantime the Lublin Poles began to carry out the long promised agrarian reform in the liberated parts of Poland proper over an area of approximately sixty thousand square kilometers. (This reform had even a greater importance for the peasants east of the Curzon Line where very large estates remained than west of it in Poland proper where partial reforms of 1921 and 1925 had brought the peasants some benefits.) Measures were taken under an agreement concluded between the Lublin Polish Committee and the Ukrainian and White Russian republics to exchange populations in the border areas for the sake of establishing ethnically homogenous terri-

tories. Simultaneously, steps were taken in Moscow and Lublin toward recognizing the committee as the Polish provisional government, which would involve the disappearance of the London government-in-exile.

With the convocation of the Yalta Conference in February, 1945, the Big Three finally recognized that the "eastern frontiers of Poland should follow the Curzon Line, with digressions from it in some regions of five to eight kilometers in favor of Poland." Simultaneously attention was transferred from the Curzon Line—which sealed the doom of the landed aristocracy and deprived Poland of the eastern provinces assigned to it by the 1921 treaty of Riga—to the political problem of organizing "the Polish Government of National Unity." Although a special commission of the representatives of the Big Three was left in Moscow to consult "with the members of the present Provisional Government and with other Polish democratic leaders from within and from abroad with a view to the reorganization of the present Government," nothing was achieved.

The International Commission consisting of Molotov, the American ambassador to the U.S.S.R., W. Averell Harriman, and the British ambassador, Sir A. Clark Kerr, held sessions; but apparently its terms of reference were not clear, for it argued weeks over who should be allowed to go to Moscow to discuss with it the problem of forming the "new" or "reorganized" Polish government.

After about seven weeks of uncertainty, the Soviet government virtually took the problem out of the hands of the commission with a statement issued March 31 through the Tass Agency in Moscow, supporting the request of the Provisional Warsaw (Lublin) government to participate in the San Francisco Conference. Further clashes and mutually opposite interpretations prevented Poland from being represented at that Conference and caused a widening rift between the Big Three which became apparent in its first week.

The San Francisco Conference opened under the shadow of renewed conflict over the character of the Lublin government, which in the Soviet view formed the essential basis of the future provisional government of National Unity but in the British and American view was only a party more or less on a level with "Polish democratic leaders from within Poland and abroad" who, according to the Yalta Conference decision on Poland, had to be invited to "reorganize on a broader democratic basis" the Polish government.

On the eve of the San Francisco Conference and during its first days the conflict between the Big Three concerning Poland stood as follows: The Americans and British stated that they would not recognize the existing Warsaw (Lublin) government or agree to invite it to the San Francisco Conference. The Soviet representatives pressed for its acceptance. The American government suggested that democratic leaders be added, and the name of Mikolajczyk was again proposed. Molotov agreed to do no more than pass the American view on to Moscow and wait for a reply.⁵³

This deadlock was complicated by an official declaration by Molotov that the sixteen Polish underground leaders sent to Moscow to negotiate over a new reorganized Polish government had been arrested by the Soviet authorities for diversionist activities against the Red Army. Anthony Eden made a statement in this connection, in which he said:

Mr. Eden and Mr. Stettinius immediately expressed their grave concern to Mr. Molotoff at receiving this most disquieting information after so long a delay and asked him to obtain a full explanation concerning the arrest of these Polish leaders, a complete list of their names and news of their present whereabouts.

The Foreign Secretary has reported this most serious development to His Majesty's Government and has informed Mr. Molotoff that meanwhile he cannot continue discussions on the Polish issue.⁵⁴

⁵³ *New York Times*, May 6, 1945.

⁵⁴ *New York Times*, Apr. 25, 1945.

In June, however, the Polish deadlock began to break, and a Soviet compromise on the composition of the Polish Provisional Government became certain after the visit of Harry Hopkins to Moscow. The International Commission established by the Yalta Conference was revived after June 12, when the White House issued a statement "on the forthcoming Moscow meeting on the reorganization of the Provisional Polish Government." Eight democratic leaders from within Poland and abroad were invited for consultations, among them Mikolajczyk, Jan Stanczyk, and Julian Zakowski.⁵⁵

On June 24, it became known that a new Polish government was to be established as a result of the Moscow consultations. It was to have twenty-one members, sixteen from the Warsaw (Lublin) provisional government and five coming from abroad and inside Poland. The vice premiership was to be held by Stanislaw Mikolajczyk, the former Premier in the government-in-exile, who was also to be the Minister of Agriculture; Jan Stanczyk, a Socialist leader from London, was to be Minister of Labor and Social Welfare; Ceslav Wycek, Minister of Public Instruction.⁵⁶

At the same time it became known that the trial of the Polish leaders accused of subversive activities behind the Red Army lines had ended with relatively light sentences ranging from ten years (Major General Leopold Okulicki, the principal defendant) to four months. Three were acquitted.

The announcement from London on June 23 of the formation of a new Polish government mentioned that not only were the mentioned Polish democrats included in the provisional government of National Unity but Wincenty Witos in Poland and Stanislaw Grabski abroad had been invited to join the presidency of the National Council of Poland.

The compromise was formulated in the following paragraph of the announcement:

⁵⁵ *New York Times*, June 13, 1945.

⁵⁶ *New York Times*, June 25, 1945.

The above mentioned representatives of the Provisional Government of the Polish Republic as well as the democratic leaders from Poland and abroad, convinced *that the feeling of national dignity and the sovereignty of the Polish State requires Polish affairs to be settled* by the Poles themselves, reached full understanding as regards the reorganization of the Provisional Government of the Polish Republic.⁵⁷

In this formula an indirect assertion may be read that this newly created government is the only bearer of Polish sovereignty, and that therefore the London government-in-exile ceases juridically to exist. The new government is provisional until "free and unfettered elections" can be held "on the basis of universal suffrage and secret ballot."⁵⁸

Russia's Shift to the West

"... *annexed Megara to Attica, and set up the famous pillar on the Isthmus on which he wrote the distinction between the countries in two trimeter lines, of which the one looking east says, 'This is not Peloponnesus, but Ionia,' and the one looking west says, 'This is Peloponnesus, not Ionia.'*" —PLUTARCH

I

There is no doubt that in relation to all the western border areas there is a basic difference between the present attitude of the Soviet foreign policy, and that of the period 1919-1939. The Soviets will in all probability remain adamant in their decisions concerning the following areas:

1) The Baltic states—Estonia, Latvia, and Lithuania—which remain incorporated constituent parts, that is, Soviet Socialist Republics, of the Soviet Union;

⁵⁷ *New York Times*, June 24, 1945 (our italics).

⁵⁸ Cf. the Yalta Conference decision regarding Poland (Feb. 12, 1945). The new Polish Government was recognized by the United States and Great Britain on July 6, 1945.

2) Bessarabia, incorporated as a part of the Moldavian Soviet Socialist Republic.

3) Bukovina and Carpatho-Ruthenia, now parts of the Ukrainian Soviet Socialist Republic.

As to Finland and Poland, on the contrary, the Soviet Union is inclined to recognize their political independence; and here the "waiver of the heritage" of Czarist Russia is clearly expressed. For Moscow it would be as impossible to polish off Finland as to finish off Poland. The recognition of Poland's and Finland's independence belongs to the revolutionary tradition of Russia. The short democratic regime of Russia—from February to October, 1917—as we have seen, officially sanctioned this tradition by proclaiming Poland's independence and preparing a similar act in favor of Finland.

The incorporation of the western parts of White Russia and Ukraine into the Soviet Union means factually more than the restoration of the territory of Imperial Russia.⁵⁹ The incorporation of the westernmost parts of Ukraine, particularly Bukovina, and lastly, in June, 1945, of Carpatho-Ruthenia embraces territories which never belonged to the Russia of the Czars. But these parts, once component areas of the Austro-Hungarian Empire, represent a bridge to the western Slav nations, especially to Czechoslovakia, the most western Slav peninsula in Europe, while the southern Slav branch, consisting of Bulgars, Macedonians, Serbs, Croats, and Slovenes, remains separated from the Soviet Union by Rumania and the Black Sea.

⁵⁹ It is well known that Soviet Russia at the San Francisco Conference requested three votes in the Assembly of the world organization: one for the Soviet Union as such, one for the Ukrainian Soviet Republic and one for the White Russian Republic. This request was based on the commitment made by Roosevelt at the Yalta Conference, and was granted. Molotov explained it by the necessity to enlarge the autonomy of these two republics in foreign affairs and by the tremendous sacrifices these republics had made during the German invasion of their territories. One motive of this request may have been the Soviet desire to get some indirect recognition of the new boundaries of these republics after their expansion to the west roughly along the Curzon Line.

Backward Carpatho-Ruthenia (or Carpatho-Ukraine), with a majority of Ukrainians and a small population which considers itself as belonging to the Russian linguistical group, chose in May, 1919 to become a part of Czechoslovakia, which in September granted it home rule in the form of provincial autonomy under the St. Germain treaty. In the Second World War the whole province was annexed by Hungary. But after the conquest of Carpatho-Ruthenia by the Soviet forces a delegate of the Czechoslovak government in London took it over on October, 1944, from the Soviet military authorities under a Czechoslovak-Soviet administrative agreement of May 8, 1944.

In April, 1945, the new Premier of Czechoslovakia, Zdenek Fierlinger, pledged his government publicly to settle the question of the Carpatho-Ukraine in accordance with a plebiscite of the Ukrainian population. On June 29, 1945, before the plebiscite was carried out, Czechoslovakia ceded its easternmost province, bordering western Soviet Ukraine, to the Soviet Union on the basis of a pact signed in Moscow. The pact grants the right to opt Soviet or Czechoslovak citizenship for the period of a year, with transfer of the respective populations.⁶⁰ The pact states that the cession of the province to the Soviet Union symbolizes the union "with its long-standing motherland, the Ukraine," and that the province will be included in the Ukrainian Soviet Socialist Republic; but it is signed only by Molotov for the Soviet Union and Fierlinger for Czechoslovakia, and Soviet Ukraine does not participate, despite that republic's new diplomatic autonomy of 1944 (see pages 100-103).

It is here in the south and west of Russia that an old problem comes up. The question of the Straits of Constantinople and the Black Sea in general was not only an object of discussion but the subject matter of real Russian foreign policy, from the time of Catherine II to the First World War. In the second

⁶⁰ *New York Times*, June 29, 1945.

half of the nineteenth century the conquest of Constantinople and the "restoration of the Cross to its true place upon the Hagia Sofia," was one of the jingo slogans of the radical Slavophiles and the nationalist rightists. During the First World War a man like Foreign Minister Sazonov did not wish to be beguiled by political Utopias and by the romantic splendor of orthodox Byzantium. What he was fighting for and negotiating with the Allies was not Constantinople as such, and not the possession of the Straits, but free navigation through them and the establishment of the Black Sea as the property of Russia and the other countries on its shores.⁶¹

Some signs indicate that the Soviet Union will renew the old Russian request for freedom of the Straits; but this time Russia is faced by the other powers with an attitude entirely different from that with which they received Czarist Russia's request for similar rights. England and France this time will probably find the demand for the freedom of the Straits both justified and legitimate. Turkey now, toward the end of the Second World War, has repeatedly emphasized its friendliness to Russia.

At the end of June, 1945, it became known that the Soviet Union had sent a note to Turkey offering terms for a new treaty and for the strengthening of friendly relations. The terms are supposed by informed circles to be: (1) alteration in the present administration of the Straits, assuring to Russia a privileged position; and (2) the return to Russia of Kars and Ardahan, districts that were ceded in 1921 to Turkey by young Soviet Russia in defiance of the Czarist annexation of these areas in 1878 under the treaty of Berlin.⁶² Rumania and Bulgaria, satellites of Germany in the Second World War, and their previous anti-Russian inclinations, have lost all political significance since their occupation by Soviet Russia. Both are

⁶¹ S. Sazonov, *Fateful Years*, pp. 244 ff.

⁶² *New York Times*, June 26, 1945.

now in the outer zone of Soviet influence although they retain their independence.

Yugoslavia, too, is in this outer zone, although much farther to the southwest of Soviet Russia. The liberation movement led during the war by Marshal Tito (Yosip Broz) despite the communist character of one of its important elements, is deeply patriotic and identifies itself with all the national pro-Slav aspirations that reach back to the First World War. Italy, which after that war received Venezia Giulia—a territory with a Slavic rural majority and an Italian urban minority, including the provinces of Gorizia and Trieste—was not bound by a minority treaty to grant self-government to the Slovenes and Croats. A solemn promise by the Italian government was considered to be enough despite the protests of Wilson at the Versailles Conference, and despite the fact that postwar Italy absorbed hundreds of thousands of Slavs and Germans.

After the occupation of the long disputed areas by the Yugoslav forces as far west as the Isonzo River, including Trieste and Venezia Giulia, there was serious tension between them and the Anglo-American Allied Command. Tito evacuated old Austrian territory (Carinthia and Styria) late in May, 1945, but was inclined to hold the rest of the disputed area and negotiate directly with Italy under the auspices of the Allies before the forthcoming peace conference. But this produced mistrust in the British and Americans, who regarded Tito's proposals as incompatible with their own views; the American troops were reinforced and moved into the Gorizia-Trieste area on May 21. The continuing differences ended in a compromise, obviously supported by Moscow. A temporary settlement was signed by Great Britain, the United States, and Yugoslavia on June 9, 1945, under which Marshal Tito consented to a demarcation line with the Western Allies roughly following the Isonzo River but leaving Trieste in Marshal

zia Giulia. The settlement in no way prejudices or affects the ultimate award of the disputed areas by the future peace conference.

As evidence that there is no "waiver of heritage" by the Soviet Union, the old ties between the Russian Orthodox Church and the Holy Places and religious institutions in Palestine have been restored. The newly established Moscow Patriarchate assumed the traditional protection of the Russian religious institutions, monasteries, churches, and clergy with the approval of the Soviet government. This time the clerical patronage of the Russian Orthodox Church will not have the character of odious intervention in the internal regime of Turkey (or any other country) that it had from the time of Czar Alexis, father of Peter the Great, in the seventeenth century, to that of Nicholas II, in the twentieth.

Not less important is the positive attitude of the Soviets to a lively intercourse between the Russian Church and the churches of England, the United States, and other countries. This intercourse is connected with mutual visits of the higher dignitaries of the Orthodox Church to the West and *vice versa*. Here, too, not only in the fact of the restoration of the Patriarchate, the Soviet government, paradoxically enough, shows itself less jealous toward the spiritual lords of the Church, than its Czarist predecessor.

One of the recent and most striking revivals of the past was the rapprochement between Soviet Russia and France, which came to its full development only after the reverses suffered by Germany in the summer and autumn of 1944.

The first rapprochement between the two countries was made in order to ward off an onslaught by Imperial Germany after Bismarck's resignation. The first Franco-Russian treaty was concluded in September, 1890, and was followed in 1892 by the military convention between the two countries. This led naturally to a Russo-French alliance, which steadily grew

less anti-British. This alliance, around 1912, was expanded to a Triple Entente with Britain and became the basis of resistance to Germany and subsequent defeat of that country in 1918.

There was no reason for rapprochement between Paris and Moscow in the first revolutionary period of 1917-1922, followed by the Rapallo treaty of 1922 which created a German-Soviet entente, a united front of two countries interested—for different reasons—in the liquidation of the Versailles peace. Besides, Poland and Rumania provisionally replaced France's old eastern ally—Russia.

The reorientation of the Soviet Union toward France became particularly apparent in the spring of 1933, in connection with the rise of Nazism to power in Germany.⁶³ Soviet Russia before its entry into the League of Nations became actively opposed to the revision of the Versailles treaty and supported all French attempts for general disarmament. On May 2, 1935, the French-Soviet mutual assistance agreement was signed. Although this treaty was largely provoked by the attitude of Germany, the young Hitlerite regime seized the opportunity to declare that it ran counter to the Locarno pact, including its provisions with regard to the demilitarized zone in the Rhineland. Unfortunately, the Soviet-French agreement remained a dead letter. In March, 1936, Germany marched into the demilitarized zone, leaving it to the Permanent Court of International Justice to decide on the alleged incompatibility of the Franco-Soviet agreement and the Locarno pact.

The outbreak of the Second World War, particularly after the German onslaught on June 22, 1941, against the Soviet Union, brought all Soviet-French relations to an abrupt end. The Vichy regime officially broke off diplomatic relations with the Soviet Union at the end of that month.

In the autumn of 1941 Franco-Soviet relations were renewed in a constant contact between "Free France" in London and

⁶³ G. M. Gathorne-Hardy, *A Short History of International Affairs, 1920-1938*, New York, 1938, pp. 370-372.

the Soviet Embassy. In September, 1942, after the conclusion of treaties with Great Britain and the United States, the Soviet Union issued a joint communiqué with the French National Committee, which henceforth called its movement "Fighting France." In this Soviet Russia gave a broader recognition to the French authority, which it defined as follows:

Fighting France is the whole of the citizens and territories of France who do not accept the capitulation and who by all the means at their disposal contribute . . . to the liberation of France. . . .

The French National Committee is the directing instrument of Fighting France, the only one qualified to organize the participation in the war of French citizens and territories and to represent, in respect to the government of the U.S.S.R., French interests.

In December, 1942, after the landing of the Allies in Northern Africa, Soviet Ambassador Maisky in London handed Anthony Eden a note of protest against the accord concluded with Admiral Darlan, previous leading collaborationist of Vichy. While the Anglo-Saxon countries were rather half-hearted and reserved, the Soviet Union was very active in promoting De Gaulle and his "authority" as a kind of national representation of the French state.

Of no less significance is the fact that, in defending Russian national interests, the U.S.S.R. does not hesitate to reeducate politically those Frenchmen who were once among the followers of Soviet Communism. The most typical case is the speech of Maurice Thorez, a leading French Communist, after his return to Paris from more than five years' exile in Moscow.

In this speech which was made on the eve of the arrival of Charles de Gaulle in the Russian capital, Thorez asked for national unity, and called on his fellow countrymen to "form a national union at the side of our Allies to win the war and to reconstruct France."⁶⁴ On October 23, 1944, simultaneously

⁶⁴ *New York Times*, Dec. 1, 1944.

with the United States and Britain, the French authority under General de Gaulle was recognized by the Soviet Union as the provisional government of France.

On December 10, 1944, a treaty of alliance and mutual assistance, to remain in force for twenty years, was concluded in Moscow between the provisional government of the French Republic and the U.S.S.R.; it was published on December 17, 1944. This alliance was built upon particularly close relations between those countries, with a conspicuous direction against Germany and any new German threat. The preamble emphasizes, however, that the Franco-Soviet collaboration presupposes "an international system of security," making possible an "effective maintenance of general peace."

But while not one single article of the mutual assistance agreement of 1935 failed to cite the League of Nations or its Covenant, and while the protocol of signature was built upon the idea of regional agreements embracing not only the countries of northeastern Europe but even Germany as an equal partner with France and the U.S.S.R.,⁶⁵ this treaty is meant as a genuine Franco-Soviet treaty, though not separating the partners from the United States or Britain. It is a symbol of a revival of traditional political cohesion, a cohesion which is inevitable so long as Germany exists as a central power of western Europe. Despite all deviations and temporary turns, "the wind returneth again according to his circuits."

The stability of the renewed Franco-Soviet alliance was tested during the San Francisco Conference. Although the Soviet Union could not side with France in the Syrian question and the trusteeships, it still tried to back France's move to create regional alliances outside the strong framework of the future organization of the United Nations and the World Security Council. Ambassador Gromyko supported the French amendments on this subject and expressed the wish that the

⁶⁵ Max M. Laserson, *The Development of Soviet Foreign Policy, 1917-1942*, p. 69.

changes should be made.⁶⁶ Some critics taking into consideration the clash of Britain and France in Syria and Lebanon suppose that the new Soviet-French alliance was directed against any future Franco-British alliance.

II

With its great victories Russia steps far beyond its old western frontiers, despite the survival of Finland and Poland as independent states. The incorporation of Western Ukraine and Bukovina, the return of the extreme northern coast (Petsamo) near Norway, and the expansion along the coast of the Baltic Sea down to East Prussia have brought Russia nearer the West, nay, into the West. The friendly ties of the Soviet Union with the Balkan Slavic states and Rumania extend its influence much closer to the Mediterranean and the Adriatic Sea than that of Czarist Russia, which was hampered not only by Great Britain and sometimes France, old competitors on the Straits, but also by its immediate neighbor, Austro-Hungary. The Austro-Russian struggle was in fact one of the causes of the First World War.

As we have seen, the plebiscite planned in Carpatho-Ruthenia was abandoned and the absorption of this easternmost little province of Czechoslovakia into the Soviet Union was carried out by treaty. It will mean almost nothing in aggrandizement of Russia; but it will bring that country by way of the Carpathians into the Danube valley, with Hungary as neighbor. This is not only a historically unique *novum*, but also a geographical change making Russia a Central European power which—together with her friendly Slavic pincers in the Baltic Sea and the Mediterranean—cannot be isolated by any territorial belts or cordons.

All this results from the defeat of Germany. The defeat of Germany in 1945 means more than liquidation of its megalomania embodied in the superlative Pan-Germanism of the

⁶⁶ *New York Times*, June 2, 1945.

Nazis and its peaceful descent from the rank of a great power. The logic of the situation is shown in the fact that, although France after being conquered in the Napoleonic Wars was able to regain the rank of a great power in its previous borders. Germany in 1945 cannot peacefully draw back into its boundaries preceding 1914 or even 1939 by simply making the world overlook (in the words of Thomas Carlyle) its "abysmal overturns and frightful instantaneous inversions of the center-of-gravity" of Europe and the whole globe. The Second World War became in this sense a war of the German succession, unexpected by the enemies of Germany even in its early phases.

The difference between the Napoleonic and Hitlerian wars should be understood. It was conditioned not only by the tremendous spiritual difference between their heroes, Napoleon and Hitler, but also by the full contrast between the political ideals and purposes of the postrevolutionary France—which exhausted her in her struggle against feudalism and the *ancien régime*—and the aims of post-Weimar Germany. The Napoleonic Wars began in defense against hostile reactionary neighbors, and Napoleon never strove to impose French culture, language, or mores on the conquered nations. The antifeudalism of the Code Napoléon and the humanitarianism of France, even in the much distorted edition of the Grande Armée, persuaded Goethe, the leading genius of romantic Germany, to accept the French invasion. On the contrary, the Hitlerian wars were not a reaction to an international situation unfavorable for Germany but a well planned and prepared onslaught of old Pan-Germanism raised to the extreme of Nazism. No spiritual leader of a foreign country could be tempted to accept German Nazi domination of his country. The alliance of Germany with the Italy of Mussolini, with the Hungary of Admiral Horthy, and with the Rumania of Antonescu was a military combination ideologically built upon fascist totalitarianism of a nationalistic international united against universal humanitarianism, religion, and any kind of democracy or rule of law.

Therefore Germany after May, 1945, could not simply return to the place and space from which it had launched the well prepared and reckless onslaught on Europe—for the sake of the promised millennium of the Third Reich—which ended in disaster and misery within a short “devil’s dozen” of years. Germany simply cannot undo what it has done. The splendid offensive of the Soviet Union from Stalingrad on the Volga and from the Caucasus toward Vienna and Berlin, the two poles of Germandom, and the offensive of the United States through two landings in England and France toward the Rhine and western Germany could not respectfully stop on the borders of old Imperial Germany. This is particularly true of England and even more so of Russia.

Russia’s military history had brought her into the heart of Europe long before 1944–1945. In the period of powdered wigs, as the ally of Austria and France in the Seven Years’ War, Russia sent an army against Prussia under General Saltykov, which occupied Berlin (1760). At the end of the eighteenth century, under General Suvorov, Russia participated with Austria in the war against France. A Russian army entered Paris in 1813 after victory over Napoleon on Russian soil. But each time Russia returned to the icy East behind Prussia, Poland, and Austria, undertaking no lasting organic tasks in Europe save its share in the Holy Alliance. The Slavic nations, except Poland, belonged to the unhistoric peoples under the domination either of the Turks or of the august cousins of the Russian empresses and imperators. Even after the First World War Russia turned its back on Europe—largely because internal interests absorbed the attention of the newly established Soviet state. This was true despite the fact that “it can hardly be questioned that the Russian armies saved western civilization from a German victory between 1914 and 1917.”⁶⁷

The course of events since Germany’s onslaught on Russia

⁶⁷ Sir Edward W. M. Grigg, *British Foreign Policy*, London, 1944, p. 15.

in June, 1941, has profoundly and permanently altered the whole situation. Russia joined Britain, France, and the United States entirely against her own official doctrine, making an ideological sacrifice of the first magnitude; and, since striking this compromise of an alliance for life or death with the capitalist powers, the Soviet Union has become disinclined to leave Europe to the free play of overt and covert forces and contradictions. Russia could not step out from the international scene as in the past, and did not wish to. It emerged from this war in a new role differing greatly from that of Czarist Russia and even from that of the Soviet Union in the interwar period of 1918-1939, when it was barred from the West by a belt of some fourteen minority states reaching from the Finnish to the Persian gulfs.

The piercing of this belt began long before Russia's compulsory entry into World War II, and forms part of a very old historical tendency, first seen in the time of Ivan the Terrible, and marked early in the eighteenth century by the conquest of Livonia by Peter the Great. There existed before Peter what I would call the "Line of the Latin Alphabet," marking more or less exactly the frontier between Russia and the West. It began south and east of Finland, continued along the eastern border of postmedieval Livonia (later Estonia and Latvia), Poland and the two principalities of later Rumania (Moldavia and Wallachia). The Cyrillic alphabet, invented and used by the ancient Slavonic Church and slightly modified under Peter the Great, was dominant to the east of this line. The progressive piercing of this line, which continued after Peter the Great under Cathérine II and Alexander I, led to the incorporation of Finland, Poland, Courland, and Bessarabia.

After the exit of Russia from the First World War and the defeat of the German Empire Soviet Russia was pressed back to the old line of Latin alphabet, with the loss of Finland, the three Baltic states, Poland, and Bessarabia. The only remaining outlets to the Baltic were Leningrad and Kronstadt in the

eastern corner of the Finnish Gulf and a short coast line almost without harbors north and southwest of the old capital.

The reincorporation of the eastern parts of Poland, to the east of the Curzon Line (Western Ukraine and Western White Russia), the incorporation of all three Baltic states, some border districts of Finland, the whole of Bessarabia and Bucovina, has pierced anew the old Latin alphabet line even to points farther west than the western confines of Imperial Russia. Before our eyes Soviet influence is stretching into a new sphere or zone far beyond the proposed frontier of the Soviet Union. This outer zone reaches over—with the exception of some districts of Germany proper—approximately the total area of the minorities states of Europe extending in the southwest and west to the Adriatic and the eastern edge of Switzerland. Included in this belt and the outer fringe of the Soviet Union are Finland in part, Estonia, Latvia, Lithuania, Poland, Czechoslovakia, Austria, Hungary, Rumania, Yugoslavia, Bulgaria, and Turkey. This is the zone in which the Soviet Union strives to see friendly regimes legally independent from Russia but politically favorable and socially more or less homogeneous with certain deviations from the Soviet regime and the naked one-party system.

Therefore in terms of politics, geography, and culture the Soviet Union, quite aside from its protracted occupation of the eastern half of Germany, became more than the huge country of eastern Europe which it was up to its entry into World War II. It became, for the first time in history, temporarily the immediate "neighbor" of the United States, France, and Britain.

In the late 1930's and the early years of the Second World War some Britishers proclaimed the Rhine to be the frontier of England. The reality, however, overshadowed this assertion. By eliminating Germany for an indefinite period, Soviet Russia has become the immediate neighbor of three most civilized European countries and America, and their partner

in remaking the world, either ending the old differences between East and West or permanently bridging them.

It would be naïve to imagine, therefore, that such tremendous shifts can be painless, particularly since the old differences are conditioned by social and political antagonisms among the various kinds of government, above all now that their common mortal enemy has been defeated.

Three incommensurable units with different if not opposed backgrounds have shared in a successful fight in the greatest of the wars and performed feats which seemed almost impossible. They may be contrasted as follows: the United States without the usual feudal past and with a tremendously vital capitalism in present; Russia without the usual capitalistic past and with an already functioning socialist system in the present; Great Britain, very progressive but with a commanding class which seemed sociologically antiquated but provided leaders essential to success in the Second World War, at least in the crucial period from the summer of 1940 to the autumn of 1941. Moreover both of the English-speaking allies, without regular standing armies, were spiritually wrapped in an entirely unmilitary mentality of leftist pacifism or rightist isolationism; and the armies—and partly the navies—or both had to be produced by magic in order to match their enemies.

The picture becomes even more startling if we add the two other powers represented in the future Security Council, France and China, each with its own glorious past and grand future. The *grandeur* of each is undeniable, but its full performance in the nearest future is unrealizable.

All these different components, to which the middle and little nations have to be added, are now going to construct a common edifice of peaceful coexistence and collaboration in a postwar atmosphere; when differences or clashes of opinion no longer are the military threat that they were before May 8, 1945.

VII

LOOKING BEFORE AND AFTER

The Soviet Union cannot and does not intend to change the general trend of international relations which has become clear in the last phase of the Second World War.

Unless all indications fail, the world is returning to great combinations of states which in a remote way suggest the period of balance of power. This, of course, is connected with the revival of the idea of spheres of influence and alliances.

Such a development may appear to be contrary to Secretary of State Cordell Hull's expression of confidence in March, 1944, in the Moscow four-power declaration which confirmed the Atlantic Charter: that, as this agreement is put into effect, "there will no longer be need for spheres of influence, for alliances, for balance of power."

The system which ended with the outbreak of the First World War was replaced by the League of Nations, whose basic aim at least was world-wide international organization. This does not mean that the Covenant of the League of Nations provided for a harmonious and homogeneous system underlying such an international organization. France, for instance, strove to build up in the League an organized collective system that would guarantee the individual security of France, while Britain was more inclined to see in the League a body for international cooperation but not direct enforcement of peace.

For Russia, as an international revolutionary outcast, these nuances were of little significance. What the League was for

Soviet Russia, we have seen; and what evolution it passed through, we have already marked.

From 1934, the Soviet Union actively supported the idea of collective security and the greatest universality possible, but not at the expense of efficiency. In the period ahead there will be, not a simple repetition of the classic balance of power, but rather a kind of synthesis between the balance of power system and a universal League. Professor Shotwell has stated the formula of this synthesis as follows: "In the field of security the great powers will dominate, no matter what the structure of international relations."¹

Be this as it may, the Soviet Union was predestined, before any other leading power, to make a reality of the "synthesis." Soviet Russia's international illusions suffered a crushing blow in the field of world socialism, and therefore the U.S.S.R. was not looked upon as an unshaken believer in the moderate and inconsistent internationalism of a prematurely outworn League.

Russian foreign policy was determined not only by the political experience of the Soviet Union but by changes in the outer world. The Union was forced by the rehabilitations we have analyzed to return to the rejection of any universal plans that could not be brought into full accord with its interests as a specific state or commonwealth, or with its weight, rights, and obligations in the international framework.

After suffering the German attack in June, 1941, the Soviet Union participated in all international treaties of a multi-lateral or international character, including the Atlantic Charter, which is certainly not a "mere ideal" but a document, adopted by the United Nations as their "common program of purposes and principles," and in the Declaration of the United Nations of January 1, 1942. But at the same time and on an equality with Britain and the United States, it participated in the conferences and decisive gatherings already mentioned.

¹ James T. Shotwell, *The Great Decision*, New York, 1944, p. 207.

Gradually the international relations underwent a basic metamorphosis: in the first period the League of Nations still had some of its initial momentum. The withdrawal from it of Germany, Italy, and Japan, long before the war began, might have been helpful in allowing some restricted functioning of the principally universal League. This is why the idea of the United Nations was not unexpected. After Soviet Russia's entrance into the Second World War, its exclusion from the League in December, 1939, was entirely forgotten, and it was included in the new comity of the United Nations. The acts published in the period following the October revolution are all along lines of abstract internationalism. Soviet Russia has shown great courage and decisiveness in "liquidating" the last remnants of the 1917-1922 period, of which the Comintern was one of the strongest pillars.

At the same time, throughout the "one world," whether taken as the old conglomerate of some seventy sovereign States, or as the League of Nations structure, or even as the new United Nations organization, there begins to rise an individualized, new structure which sometimes assumes the shape of spheres of influence, sometimes the divided scheme of three political orbits—the Atlantic, the Russian, and the Chinese—or simply the contours of a trinity of the Big Three.

This international development corresponds most favorably to Russia's internal developments presented in the previous chapters. The nationalist trend of the U.S.S.R., the revival of history and law, the revitalization of old values, including religion, in the "one and only socialist country," the openly recognized interest in the Dardanelles, the restoration of the Franco-Russian alliance, the creation of a new Slavic alliance are all very much adapted to an international milieu in which individual interests of certain spheres or orbits can be legally and equally expressed and defended, without denying the necessity of universal ties and settlements.

Even in the modest structure of the League this could not be openly admitted. Behind the scenes, forces of this kind

have worked very actively, among them the tension between France and Britain. But no official groupings were conceivable. Walter Lippmann, looking back on the bitter experience of the fight with a Nazified Germany, boldly wrote: "Clemenceau was right and Wilson was wrong."²

There is no such clear dilemma in 1944-1945. The Soviet Union tries to eliminate the old contrast by creating a synthesis between Clemenceau's national clairvoyance and Wilson's universal structures.³ Actually Russia is already doing this, as we, I hope, have sufficiently seen. If Clemenceau was right, he was right because he saw in Germany the greatest hindrance to any future international peace. If Wilson was right, he was right because he insisted upon the organization of a peaceful structure which would make the whole world "safe for democracy."

The Soviet view was most correctly expressed in an article on the Dumbarton Oaks Conference.⁴ Here international Wilsonianism is mixed with national Clemenceauism, but preference is plainly given to the latter. The article points out that the main task of this conference is to establish an international organization of security for the noble aim of preventing and suppressing aggression. The key to success in this field is assurance that the peace-loving great powers will cooperate as loyally as they did in the war against Germany.

The editorial admits that broad international, universal cooperation was envisaged by the Moscow Declaration of November 1, 1943, but states that the concrete carrying-out

² Walter Lippmann, *United States War Aims* (1944), p. 162.

³ Most conspicuously a prominent Soviet writer approves the view Clemenceau expressed at the Peace Conference in 1919 on the annexation from Germany of the left bank of the Rhine as the common interest of France, England, and the United States. Boris E. Stein writes in his preface to the Russian translation of André Tardieu's book, *La Paix* (published by the State Soviet Publishing House in Moscow, 1943), pp. xiv, xv: "The history of Europe after the First World War has shown how right and farsighted Clemenceau and Tardieu were in insisting upon taking away from Germany the left bank of the Rhine."

⁴ See editorial entitled, "From War to a Secure Peace," in *Voyna i rabotchi klass* (War and the Working Class), No. 16, Aug. 15, 1944.

of this idea requires strengthening a limited group of the leading powers in order to insure national independence to the medium-sized and small states of the international organization of security. Its inability to create such an organization formed the chief weakness of the League of Nations, which in the formative years tried to isolate the young Soviet State, and failed to prevent the second German aggression. Therefore, the author defines the fundamental task of the Dumbarton Oaks Conference as follows:

As a matter of fact we must create a system of international relations which will be able to stop any new attempt of German aggression.

The interests of the United Nations lie in a strengthening of the union between Great Britain, the Soviet Union, and the United States throughout the forthcoming postwar period.

The same ideas abound in Soviet writings on Russian foreign policy. Remaining very active and even aggressive in vital national issues, Soviet Russia will in all probability share with the other great powers in dominating the structure and security of the international body, however contrasting and complex the given issues may be.

During the San Francisco Conference the Soviet Union showed a high degree of ability to compromise. Molotov himself in his opening address at the San Francisco Conference showed a real élan and farsightedness in working out the synthesis between the national interests of the great powers and the building of the structure of the United Nations.

During the short genesis of the old League of Nations the construction of the League absorbed all interest, and every attempt at a real coalition among the founding states and particularly between Great Britain and France was minimized if not ridiculed by the friends of the growing "Geneva atmosphere." The direct victim of this abstract overemphasized Wilsonianism was France, which was pressed by its Allies to

renounce all its plans of keeping Germany under control, with a cynical forgetfulness of their common struggle.

Molotov was absolutely right when he warned in his address that the lessons of the League of Nations and of the last war must not be forgotten, lessons in the necessity of a coalition "forged in the fire of struggle which rendered a great service of the cause of the United Nations." He concluded this part of his speech by saying:

If the leading democratic countries show their ability to act in harmony in the postwar period as well, that will mean that the interests of peace and security of nations have received at last a firm basis and protection. But that is not all.

Despite the hard beginning of the conference when the questions about the representation of Poland and the disagreement among the Big Five over the veto and the voting procedure for the new World Security Council led to the conclusion that the whole conference was deadlocked by the stubbornness of the Soviet Union, the later stages showed that all these apprehensions were at least exaggerated, and that compromises have been reached in the most important problems.

The four-to-one split at the conference goes back to the general matter of the voting procedure which was not settled at Dumbarton Oaks. Being at the bottom a universal problem of first magnitude, it was later made by the press a specific Russian and sometimes even an anti-Russian issue.

The problem of the recognized leading role of the great powers and inequality among the states cannot be judged from a purely legalistic viewpoint *de lege lata* based on pre-war international law and its doctrine. Because in this case there is no way to reshape old law by the very means of this old law. The juridical equality of all sovereign states is made the basis for the claim that the small states should have an equal vote with the great powers⁵ in the Security Council

⁵ George Glasgow, "Through the Gates of San Francisco," *Contemporary Review*, June, 1945.

or in other leading international bodies. This would be once more a disastrous *pereat mundus* in favor of a doubtful triumph of justice. Let us not forget that the legalistic refrain of the rising Prussianized Germany in the early interwar years was humble equality of all states. Therefore if the Security Council, even in the proposals of Dumbarton Oaks, bears "primary responsibility for the maintenance of international peace and security," it would be a monstrous mockery to ask for the establishment of an absolute and equal sovereignty—for example, of Denmark and the United States or the Soviet Union. A new international law will find the ways and means to elaborate a kind of relative sovereignty⁶ and will know how to differentiate between formal equality and the equality (justice) of distribution originally traced by Aristotle.

In the Yalta provisions of the Big Four concerning the voting procedure in the Security Council, two different kinds of decisions were allowed for:⁷ (a) decisions of the council on procedural matters should be reached by an affirmative vote of seven members; (b) decisions of the council on all other matters should be reached by an affirmative vote of seven members including the concurring votes of the permanent members. By this the difference was established with the provision that parties to a dispute should abstain from voting. At the San Francisco Conference the real apple of discord was only the latter point, namely not to abuse the veto power of one of the interested great powers in a judgment on itself.

All agreed that whenever the eleven-nation Security Coun-

⁶ Hans Aufricht, "On Relative Sovereignty," *Cornell Law Quarterly*, Nov., 1944; "The International Law of the Future: Postulates, Principles, Proposals," *International Conciliation*, Apr., 1944 (No. 399), pp. 283-287; H. Lauterpacht, *An International Bill of the Rights of Man*, New York, 1945, pp. 23-25, 81-82, 171.

⁷ James T. Shotwell, *The Great Decision*, New York, 1945, appendices, p. xxx, and the statement of the Big Five interpreting the Yalta voting formula in the *New York Times*, June 9, 1945.

cil is faced with the question of taking steps of enforcement against an aggressor, there must be a vote of seven of the eleven members of the council including all the five permanent big powers. There was, however, no dispute among the Big Five on the right to veto decisions which involve action, and from the beginning there was full agreement in this issue between Russia and the United States. The dispute centered on the right of veto over decisions which involve merely "peaceful methods" of settling an international dispute.

For the small and medium-sized states the disagreement with the Soviet Union became sharpened because every trace of serious political representation in the new League seemed to them to be threatened by the overwhelming rights of the great powers. For these states the question was whether one of the Big Five could use its veto to prevent the World Security Council from even discussing a certain friction or situation in order to settle it. And it must be said that not only the stubbornness of Russia but also the very complicated and subtle differentiations of the voting formula of Yalta made trouble. Section 3 of the Yalta decisions, which regulates discussion, states that "no individual member of the Council can alone prevent consideration and discussion by the Council of a dispute or situation brought to its attention" (under Paragraph 2, Section A, Chapter VIII). But the situation changes when decisions and actions by the Security Council may even initiate a chain of events which, in the end, require it to invoke measures of enforcement.

Russia favored the right of each of the five powers of the council to veto the bringing of a dispute before the council for discussion. This became the source of discord between Russia on one hand and the other four powers, together with the small nations, on the other.

The tension which looked for some days like a controversy over to be or not to be was broken in early June when Soviet Russia yielded to the demands sponsored by the United States. Secretary Stettinius reported an agreement which

preserves the principle of the unanimity of the permanent members of the Council in all actions taken by the Council, while at the same time assuring freedom of hearing and discussion in the Council before action is taken. We believe both are essential to the success of the world organization.

Under the terms of the agreement, unanimity of the permanent members of the Council is required as provided by the Crimea Agreement in all decisions relating to enforcement action and—except as to parties to disputes—in all decisions for peaceful settlement. But this requirement of unanimity does not apply to the right of any nation to bring a dispute before the Council as provided by Paragraph 2, Section A, Chapter VIII, and no individual member of the Council can alone prevent a consideration and discussion by the Council of a dispute or situation thus brought to its attention.

The successful conclusion of discussions on this matter among the four sponsoring powers and France offers a new and heartening proof of the will and ability of the Allied Nations which have fought side by side in the war to construct, upon the strong foundation of their wartime collaboration, a workable and effective and lasting peace in which they will labor together with mutual understanding and a common purpose.⁸

The public opinion of the West was not prepared to judge objectively from the viewpoint of the Soviet Union what really had happened in San Francisco. In reality the participation of Soviet Russia in the building and leadership of the World Security Organization is an open retreat from the previous ideological position of this country. From the early 1920's, when Chicherin proposed loose conferences or unions instead of the feared League of Nations, to the spring of 1945, when Russia took the whole responsibility for the creation of a new and much more powerful League of United Nations upon itself—there is a tremendous distance. Through all the interwar years the Soviet Union regarded its participation in particular and casual treaties, collective agreements, and even their entrance into the League in 1934, as merely tactical procedure to strengthen its position threatened by the western

⁸ Secretary Stettinius' statement of June 8, 1945.

bourgeois countries. Litvinov's policy of collective security was certainly a great advance from the first Soviet intransigence and complete suspicion of the West. But San Francisco means much more than that. There is no peaceful or purely procedural possibility for the Soviet Union to step out from the Security Council. The insistence on unanimity is the best proof that San Francisco has put an end to the division of the world into two camps: the capitalist states, and the Soviet Socialist Union. The new World Security Organization leaves room for different ideologies and internal regimes, but creates a common building for a united world in international relations, the Soviet Union participating in all leading bodies of that organization: the Security Council, the General Assembly, the International Court of Justice, the Trusteeship Council, the Economic and Social Council, and the Military Staff Committee.

Exit from the new League means war with the previous allies more than exit from the Holy Alliance of 1815 or the League of Nations—because exit of one of the Big Three from the future League would be the departure from an established coalition of the mightiest military powers. The new World Organization means not only unity and coordination of actions of its members in matters of peace and welfare but also unity and coordination of the military forces of the leading powers of the world. The combination of national Clemenceauism and international Wilsonianism is expressly declared in the foreign policy of the Soviet Union as follows:

The decision of the conference to give permanent seats in the council of the five Great Powers is recognition of the obvious fact that the Security Council can possess sufficient means and forces necessary for the maintenance of peace only if it permanently includes those countries which have sufficient resources in men and material necessary for the successful and effective fulfillment of its duties.⁹

⁹ Cf. the speech of A. Gromyko at the final session of the San Francisco Conference.

The realignment of the Soviet foreign and internal policy remains one of the most important features of the immediate future. There certainly must always be some difference in approach to similar questions when they are addressed to the outer world on one hand, and to the inner political psychology of the population on the other.

In spite of all regimentation of the Soviet press and the obligatory identity of the basic political steps and valuations, there remains an important gap between the statements of the Soviet official representatives to outsiders and the statements addressed to the population of the Soviet Union. This is clearly shown in the two quotations following. The first is from *Bolshevik*, the theoretical and political review of the Central Committee of the Communist party. The second is from the address of Ambassador A. A. Gromyko at the final session of the San Francisco Conference.

If we had not the Soviet power governing our country it would have been impossible to destroy fascism . . . Only the Soviet power rescued European civilization from the fascist brutes. If there had not been Soviet power there would have been established in the whole of Europe and eventually in the entire world a fascist reaction for long decades. The peoples oppressed by Hitlerism would have been extinguished to cover with their corpses the whole space of the German Lebensraum.¹⁰

The whole world is aware of the role of these [five great] powers in their fight together against aggression in the course of the Second World War, and the role played by each of them.

In the European war, which has just ended, the Allied powers demonstrated their ability to carry out the task of annihilating the strongest and most cunning enemy in history. Without cooperation between them, it would have been impossible to carry out so successfully the task of defeating Hitlerite Germany. Without such cooperation, it would be impossible in the future to carry out the task of preserving peace.

¹⁰ *Bolshevik*, No. 1, Jan., 1945, p. 5 (in Russian).

But in spite of all that, the Soviet Union is conscious of her need of cooperation with the great Western powers.

Besides political considerations some economic causes will be of a decisive nature in the years to come; and these economic factors will greatly help in the realignment of the Soviet inner policies with the outer world.

The Soviet economic system is built upon the idea of industrialization of the huge country. According to Marxist ideology the productive forces which are the basis of society had to be developed in Russia, which lagged far behind the advanced Western countries. Thus production became the leading idea and the basic measure of evaluation.

It would be very naïve to suppose that Soviet socialism is built upon considerations or standards of egalitarianism. It cannot be denied that Russian Populists who based socialism primarily on the land hunger of the Russian peasants or the landless village workers, favored the "equal use of land" and similar egalitarian ideas, partly put into force in 1918-1922.

But Russian as well as western Marxism, which was mostly urban-minded and organically hostile to "the idiocy of rural life," was emphatically opposed to any egalitarianism. In this relation Bolshevism before and even after the rise to power remained a spiritual heir of old Marxist patterns. The Soviet socialism of production was particularly inimical to egalitarianism because the latter is mainly connected with consumption, which throughout the interwar period was subordinated.

No other economic idea was so sharply attacked by the Soviets, from the beginning, as *nivellement*: A tremendously important place is given in the Soviet daily press and economic literature to the fight against social leveling (*uravnilovka*) which Soviet Marxism has always considered as a counter-revolutionary remnant of petty-bourgeois socialism. Egalitarian demands meant in Soviet Russia the anachronized primitive socialism of the peasants, villagers, and consumers. It is

no exaggeration to say that the whole economic and political structure of the Soviet Union, with its complicated scale of unequal wages, with its highly classified hierarchy in the administration of the economic and political machinery, and of the forces of the army and the navy—from the generalissimo to the plain soldier or sailor—would have been unthinkable had there been any recognition of a purely egalitarian motivation.¹¹

The contradistinction between the capitalist economics of scarcity and the socialist economics of abundance may remain true for a very long time, in a general way. But it did not mean much in the Soviet Union for a quarter of a century.

The principle of abundance which led to a rapid industrialization of backward and capitalistically immature Russia was practically an incarnation of scarcity and want from the viewpoint of the lowest western standards of consumption, housing, and elementary conveniences. Although new incentives were forcibly introduced in Soviet industry and subsequently in agriculture, the economics of abundance was not the living pattern—it remained a remote ideal for which the humblest worker in town or in the collective farm has been made the defender.

The problems of consumption were not entirely excluded from current Soviet literature. But while problems of production absorbed much space in reviews and books, consumption had an important place only in fiction and humorous literature, and in letters to the editors. Some writers became famous in Soviet Russia exactly because they mirrored the unsatisfactory and bad conditions of daily life, revealing the great discrepancy between the broad ideals of public life and the lack of privacy and conveniences for individuals. Needless to say, the five-year plans were meant above all for pro-

¹¹ Laski's views on the "egalitarianism of the Soviet Society" (*Reflections, etc.*, pp. 394, 410 ff.) are based upon specific Anglo-Saxon patterns of Diggers, Levelers, and similar groups of primitive negation of property, and are transferred to the entirely different milieu of the Soviet state.

duction and only very incidentally for satisfaction of demands for public utilities, housing, and clothing.

There is no doubt that this will be subject to profound change in the future. Westernization will be inevitably introduced in this very important field of consumption, too.

The long and persistent advances of the Soviet armies have given millions of common Soviet citizens an opportunity to observe at first hand the standards of western living. Simple aspects of western life which until the summer of 1941 were known only to a small number of members of Soviet legations or commercial agencies—or to a few scientists sent to western Europe or America for research—have become common knowledge since the war. The cultivating and enlightening influence which the Russian military advances during the Napoleonic Wars exerted on Russian officers will be repeated and tremendously augmented by the millions of Soviet soldiers during the offensive and occupation in the West.

As a result social welfare will be raised to the higher standards of the West. The Soviet soldiers will bring back to their country a new knowledge of western ways of life and of western production, consumption, and urban and rural living. Not all places through which Soviet soldiers advanced were destroyed by war activities, and these soldiers are intelligent and literate enough to make the comparison and to perceive the difference. In addition the end of the war releases the country from all limitations imposed on its economic life by the long preparation for and conduct of the Second World War, and will result in improved conditions of consumption. The government of the Soviet Union will certainly be inclined to meet the augmented needs and demands of the masses. This must inevitably lead to a need of credits, closer economic contacts, and trade between the Soviet Union and the United States and a part of western Europe.

Thus the cultural and political lines of rapprochement analyzed above merge with the economic lines to strengthen the

mutual ties between the Soviet Union—which helped to save western civilization—and the West.

If despite all difficulties and temporary stops a final alignment of Russia and the Western World should prove to be real it will be only the materialization of the dream of a famous Russian Westerner, Konstantin Kavelin, who in his fight against the Slavophiles on one side and the German Balts on the other prophetically stated in 1882:

One of the two things: Either the Russian State is only a phantom which emerged by accident and, in turn, will evaporate unexpectedly without leaving any traces save that of a tremendous material fact such as the colossal state-nations of Asia; or we, Russians, are predestined to create a new social and political combination of power through which we will acquire the right to an historical existence together with the other cultured western peoples. There is not and cannot be any third way out in this dilemma.¹²

Since these words were written in the darkest days of the reign of Alexander III three revolutions, two world wars and a tremendous industrial and cultural unfolding swept over that country, indeed a purgatory never experienced by any other country. We think that these shifts and trends went westward.

¹² An open letter in the *Rigaer Zeitung für Stadt und Land*, Jan. 19, 1882 (No. 14).

INDEX

- Aggression, definition of, 190, 191;
convention for definition of, 192
- Albat, Hermanis, 220
- Alexander I, 87, 251
- Alexander II, 12, 22, 210
- Alexander III, 40
- Almazov, Boris, 122
- American literature, translations into
Russian, 35
- Anglo-Russian Treaty of 1942, 196
- Anglo-Saxon democracy, develop-
ment of, 6-7; outlook on war, 203
- Anna. *See* "Conditions" of Anna
- Anti-Comintern Pact of 1936, 9, 44
- Anti-German literature, 51, 54
- Aristocrats, their participation and
leadership in liberation movements,
37
- Armenia, 189
- Armenians, 78; participation in Con-
gress of Nationalities, 85
- Atlantic Charter, Soviet Russia's atti-
tude to it, 60, 196, 198; and U.S.A.,
198
- Azerbaijans, 78
- Badoglio, Pietro, Marshal, regime of,
4
- Balance-of-power politics, 4, 254
- Baltic Germans. *See* German Balts
- Baltic States. 50, 81, 87, 88, 99; incor-
poration into U.S.S.R., 110, 185,
186, 194, 216, 225. *See also* Estonia,
Latvia, Lithuania
- Barthou, Louis, Foreign Minister,
193
- Bernstein, Eduard, 14
- Berlin, Russian occupations of, 250
- Bessarabia, 87, 251
- Big Five, 261
- Big Three, and Poland, 235, 237; and
political orbits, 256
- Bolsheviks, 17, 18, 20; social volun-
tarism of, 46
- Brest Litovsk armistice, 15
- Brest Litovsk peace conference, 190:
Soviet delegates protest against
German-controlled elections, 224
- Briand, Aristide, 174
- British-Soviet Treaty of Mutual As-
sistance (May 26, 1942), 13
- Brotherhood of Cyril and Metho-
dius, 89
- Bukharin, Nicholas, *Theory of His-
torical Materialism*, 147
- Bukovina, 240, 248
- Bulduri, conference at, 210
- Bullitt, Ambassador William C.,
178
- Byzantium, 39, 120, 151, 242
- Carlyle, Thomas, 33, 154
- Carpatho-Ruthenia, 240, 241
- Catherine II, 12, 205, 251
- Chauvinism, fight against, 112
- Chicherin, George, Commissar for
Foreign Affairs, 37, 38, 168; favors
loose congresses instead of League,
169, 170, 262
- Churchill, Winston, on western
frontiers of U.S.S.R., 216; supports
Moscow's claims of Curzon Line,
235
- Civil Code, promulgation of new,
119
- Clemenceau, Georges, 257, 263
- Collective farms, 25
- Collective security, at San Francisco
Conference, 263
- Comintern. *See* Communist Interna-
tional
- Communist International, dissolution
of, 45-46, 133; and American
recognition of U.S.S.R., 129, in

- contradistinction to Narkomindel (Commissariat for Foreign Affairs), 166; shrinking hopes, 171; and Trotskyite wing, 173; Bullitt's note of protest, 178; liquidation of 1917-1922 period, 169
- Communist party, dominance of, 62; political bureau of, 62, 114
- "Conditions" of Anna and limitations of monarchic powers in 1730, 36
- Conference of Juridical Scholars, first, 130 ff. *See also* Dumbarton Oaks Conference, San Francisco Conference
- Constantinople, Straits of, 241-242
- Constituent Assembly of Russia, 18
- Constitutions, foreign: German Weimar, 104; Polish, of 1921 and 1935, 231; Swiss, 106; U.S.A., 106
- Constitutions, Soviet: of 1918, 30, 116; of 1923, 97, 116; of 1936, 99, 107 (1944 amendments, foreign affairs, 101, 102, 103, 107, defense, 105, 106, 107); comparative interpretation of, 67; rejection of democracy, 68; negation of self-government, 70; transgression by administrative organs of, 72; express idea of humanitarian equality, 73
- Consumption, improvement of standards, 267
- Cooperation among states, 5; between U.S.A. and Russia, 55, Russian good will toward America, 56; with great Western powers, 265
- Council of Nationalities, 95, 97-98
- Courland, 84, 184, 191, 251. *See also* Latvia
- Curzon Line, 228, 232, 233, 234, 235, 236, 240, 252
- Czechoslovakia, annihilation of, 194; western Slav peninsula, 240; secession of Carpatho-Ruthenia, 241
- Czarist Russia, and U.S.A., 12; destruction of, 23; foreign debts of, 30-31; "geopolitical" identity with U.S.S.R., 49, 206
- Dallin, David J., 44, 166
- Danilevsky, Nicholas, *Russia and Europe*, 92
- Decembrists. *See* Revolutions
- Declarations, in constitution of 1918, 64; in constitution of 1923, 65, 66; of Rights of Peoples of Russia, 182; of Four Nations, 204
- Democracy in Russia, regulative idea of, 6, 16; apparatus of self-government, 22-23; the void of *étatisme*, 39; inability to keep power after seizing it, 40; no traditional habit of obedience, 40; formulation of, avoided in 1936 Constitution, 68
- Derzhavin, N. S., 54
- Dictatorship of proletariat, 19
- Discrimination against non-workers, 31
- Dragomanov, Michael, 89, 90
- Duma, lower house of Russian parliament, 6, 80, 81, 91; dissolution of second (1907), 82
- Dumbarton Oaks Conference, 257, 258
- Duranty, Walter, interview with Stalin, 178
- East Prussia, 248
- Eden, Anthony, 237
- Egalitarian ideas, 265-266; and economics of scarcity and abundance, 266
- Elizabeth, Queen of England, 10
- Encyclopedia of State Law, on League of Nations, 168
- English literature, translated into Russian, 35
- Equalization of Russian institutions and epochs with western world, 158
- Equity, Anglo-Saxon, 128
- Erfurt Program, 18
- Estonia, local self-government established by Provisional Government, 84, 113; independence recognized by R.S.F.S.R., 185; rights of secession, 209; and Inter-Allied Conference, 218; Bulduri Conference, 219; establishment of dictatorship,

- 219; Warsaw Conference, 220; elections under Soviet occupation, 224; Soviet justification of absorption of, 225
- Estonians, 77, 78; participation in Congress of Nationalities, 85; hostility to Germans, 221
- Family Law. *See* Matrimonial law
- Fascism, 45
- Federalists and Autonomists, union of, 78
- Fierlinger, Zdenek, 241
- Finland, 209; Russification of, 210, Diet of, 210; Imperial legislation act, 210; Soviet naval bases, 211; dissolution of Communist party, 212; relations and friendship with Nazi Germany, 212-213; armistice terms of 1944, 214; Fenno-Scandia, 215; Finnish Blue Book, 215; First Finno-Soviet War, 216; Soviet attitude after Second Finno-Soviet War, 216-217
- Foreign debts of Czarist regime, annulment and informal payment of, 30-31
- France, 201; rapprochement with U.S.S.R., 244; "Free," "Fighting," 246; recognition of provisional government of, 247; collaboration of, with U.S.S.R., 247
- Freedom from fear, 60; of religion, 61; of speech, 61; of press, 61, 78; for nationalities, 79
- Gallup poll, 13
- de Gaulle, Charles, 246
- Georgia, absorption by Russia (1801), 151, 153; recognition of independence (1918), 184; Autonomous Church, 84
- Georgians, 78; participation in Congress of Nationalities, 85
- German Balts, 155
- German colonies in Russia, 50
- German socialism, 7, 14
- Germany, propaganda against Soviet Union, 100; occupation of Baltic States in World War II, 113; equality of rights in family of nations, 193; defeat in 1945, 248
- "Glory of Motherhood," 28
- Graham, Malbone W., 218
- Great Britain, 13, 201, 243, 247, 253
- von der Goltz, Gen., 211
- Grabski, Stanislaw, 238
- Great Soviet Encyclopedia, on history and historiography, 152
- Grekov, Boris, 157, 159
- Gromyko, Andrei, 247, 264
- Hague Peace Conference, 205
- Hallam, Henry, *Constitutional History of England*, 10
- Harriman, W. Averell, 236
- Hegel, G. F. W., 124, 159
- Herrenvolk*, 5
- Historical materialism, 146, 147
- Hitler, Adolf, *Mein Kampf*, 153; rise to power, 175, 193; his wars as compared with Napoleonic Wars, 249
- Hobbes, Thomas, 7
- Holy Alliance, Russia in, 205
- Hull, Cordell, warning Finland, 216; against balance-of-power doctrine, 254
- Illiteracy, 33-34
- Industrial revolution, 36
- International Commission, 236
- Ivan the Terrible, 161
- Ivanov, V., 53
- Jacqueries, 20
- Jews, 78; revision of anti-Jewish legislation, 81; representation in Dumas, 83; repealing of all restrictions by Provisional Government, 84
- Karelia, 109; Isthmus of, 212
- Kavelin, Konstantin, 268
- Kellogg, Frank B., 174
- Kerenski, Alexander, 21, 93, 144
- Kerr, Sir A. Clark, 236
- Khomiakov, Alexis, 82
- Kirghiz, 78
- Kistiakovsky, Bogdan T., 133

- Klutchevsky, Vassilii, 156
 Kolkhozes. *See* Collective farms
 Kollontay, Alexandra, on matrimonial and family law, 26; Bolshevik leader, 37
 Köllreutter, Otto, 74-75
 Korovine, Eugen, 189
 Kostomarov, Nicholas, 86
 Kovalevsky, Maxim, 142
 Krizhanitch, Yurii, 91
 Krylenko, N., 127, 130
 Kulaks, 21
 Kutuzov, Count Michael, 161
 Kwapinski, Jan, 235
- Lange, Oskar, 233
 Lapua Movement, 212
 Laserson, Max M., 76, 96
 Laski, Harold J., *Reflections on the Revolution of Our Times*, 16, 40; on egalitarianism, 266
 Latin alphabet, line of, 251, 252
 Latvia, local self-government established by Provisional Government, 84, 113, independence recognized by R.S.F.S.R., 185, 218; rights of secession, 209; peace treaty with R.S.F.S.R., 218; and Inter-Allied Conference, 218; Bulduri Conference, 219; Warsaw Conference, 220; establishment of dictatorship, 219; elections under Soviet occupation, 224; Soviet justification of absorption of, 225. *See also* Courland
 Latvians (Letts), 77, 78; participation in Congress of Nationalities, 85; hostility to Germans, 221
 Lavrov, Peter, 154
 League of Nations, 13; entrance into, 144, 176-177; Covenant of, 198, 254; exclusion of U.S.S.R. from, 212; basic aim, 254; weakness of, 258
 "Legal" Marxism. *See* Marxism
 Legal nihilism, 124
 Legal philosophy, notions of, 118; and Leninists, 129; idealistic formulations, 137
 Lend-Lease, 56, 202
- Lenin, N., 15, 18, 38; dismissal of democracy, 19; and October upheaval, 66; *State and Revolution*, 115, 143; rejection of general idea of law, 124, 125; on Russia's backwardness, 139; *What Is to Be Done?* 140; *Development of Capitalism in Russia*, 141; on Comintern, 143; on independence of Finland, 211
 Leninism, 55, 56, 150; in legal philosophy, 129
 Letts. *See* Latvians
 Linkomics, Edwin, 214
 Lippmann, Walter, 257
 Literacy, advance in, 33-34
 Lithuania, 109; independence recognized by R.S.F.S.R., 185; rights of secession, 209; Bulduri Conference, 219; Polish occupation of Vilna, 220; elections under Soviet occupation, 224; introduction of fascism in 1926, 218; Soviet justification of absorption of, 225
 Lithuanians, 77, 78; participation in Congress of Nationalities, 85
 Litvinov, Maxim, 174; his attitude to the League, 179-181; federal structure of U.S.S.R. in international relations, 186-187
 Livonia, 84. *See also* Estonia, Latvia
 Locarno agreements, 172
 Louis XIV, 70
 Lunacharsky, Anatol, 20, 37
- Maine, Sir Henry James Sumner, 117
 Maisky, Ivan, 187, 246
 Manuilski, Dmitrii, 148
 Marx, Karl, 124, 143
 Marxism, Russian, 124; law as superstructure over economics, 126, 128, 159; withering away of state and law, 135, 160; revolutionary Marxism, 140; and Russian historical science, 141 ff.; Soviet, 147; revision of orthodox, 149-150; applied internationally, 159, domestically, 160; and productive forces, 265; "Legal," 140
 Marxists, 17, 141

- Masaryk, Thomas G., 155
 Master-race, 5
 Matrimonial law, establishment by Soviets, and radical reforms, 26-30; similarity with Code Napoléon, 29
 Mendeleyev, Dmitri, *On the Knowledge of Russia*, 32, 110
 Mensheviks, 93
 Michailovski, Nicholas, 154
 Military oaths of 1918 and 1939, 47-48
 Mikolajczyk, Stanislaw, 233, 235, 237, 238
 Milton, John, *Areopagitica*, 7
 Minorities, national, 77, 78, 79; minorities statute (draft) under Provisional Government, 85; proportional representation of, 79-80; cancellation of discrimination, 80; reduction of Duma representation, 83; annulment of all restrictions by Provisional Government, 83-84; rights of, and cultural development, 183; attraction on, outside borders, 183; German, in Latvia and Estonia, 215; Swedish, in Finland, 215; evacuation of German, from Baltic States, 223; states of Europe, 252
 Minority "nations," 76
 Molotov, Viatcheslav, 107, 109; speech to Congress of U.S.S.R., 195; on Baltic countries, 222; on Poland, 229-230; at San Francisco Conference, 259; member of International Commission, 236
 Montesquieu, Charles-Louis, 117
 Morachevski, 76
 Munich Pact, 194
 Muraviev, Count Nikita, 88, 89
 Napoleon I, 29, 33, 87, 161, 195
 Napoleonic Wars, 6, 9; compared with the Hitlerian wars, 249
 Narodnaya Volya. *See* Underground
 Natural law, consciousness of, 25; of self-determination, 227
 Natural rights, violation of, 209
 Nekrassov, Nicholas, 37
 Nep. *See* New Economic Policy
 New Economic Policy, 8; provisional establishment of *laissez faire*, 25; juridical influence of, 118-119, 128, 167
 Nicholas I, 40, 89
 Nicholas II, 205, 210, 244
 Nihilists in Russia, 38, 155
 Nolde, Boris, Baron, 81, 201
 Nonaggression treaties, 173
 Novosiltzev, Nicholas, Count, 87
 Northern Palmyra, 49
 Norway, 223
 Orthodox Church, 25, 58, 59; relations with Church of England, 60; in Palestine, 244
 Paasikivi, Jucho, 217
Pacta sunt servanda (Agreements are to be kept), 129
 Palestine, holy places in, 244
 Pankratova, A. M., 157
 Paris Commune (of 1870), 23, 41
 Pashukanis, E., 130 ff.
 Patriarchate, restoration of, 59, 95, 163-164
 Patriotic ideology, of Czarist and Soviet Russia, 3; at lowest ebb in 1905, 38; rehabilitation of, 190
 Pavlov-Silvansky, Nicholas, 158
 Peter the Great, 58, 161, 251
 Petrazycki, Leo, *Theory of Law and Morals*, 122, 123, 127
 Petsamo, 212, 214, 216
 Pilsudski, Jozef, 228; *coup d'état* of 1926, 231
 Platonov, Sergey, 145-146
 Plekhanov, George, initiator of Social Democratic movement, 37, 140
 Plutarch, 239
 Pokrovski, Mikhail, 151; onslaught upon his views, 152 ff.
 Poland, autonomy of, 78; war with Russia in 1920, 144; annulment of partition treaties, 184, 227; rights of secession, 209; foreign policy of, based on history, 227, 228; Pilsudski-Beck regime, 228, treaty of nonaggression with U.S.S.R., 229;

- Soviet note to, on its disintegration, 230; restoration of Soviet relations with Government-in-exile, 230; rupture of diplomatic relations with U.S.S.R., 232, 233; emergence of Lublin Polish Committee of National Liberation, 234; uprising of Warsaw patriots, 234-235; organization of Government of National Unity, 236; participation in San Francisco Conference, 237; National Council of, 238
- Polarity of Soviet foreign policy, 2-3, 165, 199
- Poles, 78
- Political Dictionary*, 43-44
- Political romanticism, in Germany, 7-8; in Russia, 8
- Populists, 17-18
- Positive law, as regulator of behavior, 118; and public opinion, 121
- Private property, abolition of, 118; nationalization of industry, 118
- Proletcult, 20; as against Western individualist culture, 20; Soviet regime in contradiction to, 73
- Quislings, 112
- Radishtchev, Alexander, 37
- Rapallo, treaty of, 193; and the German-Soviet entente, 245
- Regulative idea of democracy in Russia, 6
- Republics of Soviet Union, 99
- von Reussner, Michael, 127
- Revolutions: 1825 Decembrist, 17, 36, 37, 87 (and federalism, 88-89, 92); 1917 February, 23; 1917 Communist, 6 (slogans of, 20 ff., 115); Puritan, 126; French, 168
- Riga, Treaty of, between Soviet Russia, Ukraine, and Poland, 229
- Rostovtzeff, Michael, 142
- Russian as official language, 77-78
- Russkaya Pravda, 120
- Russo-Japanese War, 80
- Russophobia, German, 10
- Ryti, Finnish President, 213
- San Francisco Conference, 188, 236-237; on three Soviet votes, 240; test of Franco-Soviet alliance during, 247; Soviet ability to compromise, 258; the four-to-one split at, 259; Yalta decisions interpreted by, 262; and collective security, 263
- Sazonov, Serge D., 206, 209, 242
- Schmitt, Carl, 75
- Serfdom, abolishment of in 1861, 36-37; of Ukrainians and White Russians, 231
- Shcherbakov, A. S., 162
- Shorwell, James T., *The Great Decision*, 12, 255
- Siromyatnikov, B., 158
- Slavophile movement, new, 54, 122, 242
- Social schematism, 116
- Social Democrats, German, 18, 124
- Social Revolutionaries, 17-18
- Socialism, western, 14; Russian, 14, 124
- Sorokin, Pitirim, 55
- Sovereignty, of each power, 200; equality of, 259; relativity of, 260, 261
- Soviet constitutions. *See* Constitutions (Soviet)
- Soviet expansion, beyond borders of Czarist Russia, 49
- Soviet foreign policy and internationalism, 255
- Soviet Union, difference from Nazi Germany, 74
- Speranski, Ivan, Count, 87, 88
- Stalin, Joseph, 15, 94, 143; controversy with Trotsky, 42, 66, 168; his formula, 99; stability of laws, 115; on Russia's backwardness, 139; Duranty interview, 178; on Anglo-Russian treaty, 196; after Moscow Conference, 204
- Stalinism, 46; its revision of Marxism, 149
- Stanczyk, Jan, 238
- Stein, Boris, 196, 197
- Stettinius, Edward R., 237, 261
- Struve, Peter, 140
- Studnicki, W., 227

- Stutshka, Peter, 130 ff.
 Sweden, 214, 223
 Tanner, Vaino, 217
 Tartars, 78; yoke of, 49, 120, 226
 Teheran, Conference of, 203
 Thermidor period, in Soviet Russia,
 25, 31
 Tikhonov, Nicholas, 51
 Tito, Marshal, 243
 Tolstoy, Alexis, 52
 Tolstoy, Leo, Count, 122
 Treaty of Mutual Assistance, Great
 Britain and Soviet Union (1942),
 13
 Trieste, 92, 243
 Trotsky, Leon, 15; rejection of so-
 cialism in a single state, 24; appeal
 to toiling people of Europe, 188.
 See also Stalin-Trotsky contro-
 versy
 Tugan-Baranovski, Michael, 140
 Turkey, 16, 242
 Ukraine, administrative autonomy of,
 84, 111; absorption by Russia
 (1654), 151-152, 240; General Sec-
 retariat for (1917), 84, 85; incorpo-
 ration of Carpatho-Ruthenia into,
 241; Western parts of, 252
 Ukrainians, 76, 77, 78; language, sup-
 pression of, 76, 77; participation in
 Congress of Nationalities, 85; sepa-
 ratist nationalism, 111
 Ulmanis, Karlis, 222
 Underground, anti-Czarist, 8; *Narod-*
 naya Volya (Will of the People),
 90; leaders of Polish, 237
 United Nations, and U.S.S.R., 199,
 202
 United States, 201, 243, 247, 253
 Varangians, 157-158
 Versailles, treaty, revision of, 245
 Vichinsky, A., 130; against reduc-
 tion of law to economics, 131
 Vinogradoff, Sir Paul, 36, 142
 Vipper, Robert, 161
 Waiver of heritage, on the side of
 U.S.S.R., 207, 240, 244
 Walling, William English, *Russia's*
 Message, 19
 War, total character of, 200, 201;
 comparison with First World War,
 201-202
 Welles, Sumner, 194
 Weltanschauung, anti-Slav, in Ger-
 many, 9; Marxist doctrine as ob-
 ligatory, 138
 White Russia, 111, 240; western
 parts of, 252
 White Russians, 78, 231
 Wilhelm II, 49
 Wilson, Woodrow, 243, 257, 263
 Winstanley, Gerard, 7, 119
 Withering away of state and law, 135
 Wines, Vincent, 238
 World Security Organization, lead-
 ing part of U.S.S.R. in it, 262, 263
 Yalta Conference, 236; decision as in-
 terpreted by San Francisco Con-
 ference, 261-262
 Yevtikhiyev, 132
 Yugoslavia, 243
 Zasoulitch, Vera, initiator of Social
 Democratic movement, 37
 Zemstvos, 22, 70, 77; Moscow Con-
 gresses of, 77
 Zheligovski, Gen., 220